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Journal of the Senate

February 1st 1877.

Approved.

General Assembly of Colorado.

Senate

First Session

Thursday, February 1st 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call.

Absent - Messrs Hamill (excused) Bennett, Meldrum & Meyer

Quorum present

Prayer by the Chaplain.

Mr Bennett appeared and took his seat.

Mr Henson moved.

To grant Mr Meyer leave of absence until the 11th instant.

Mr Saunders moved.

To amend by granting Mr Meyer leave of absence for to-day's Session.

Amendment adopted by following vote-

Ayes.-11

Noes.-7

Mr Hall moved.

To grant Mr Hansen leave of absence for one week commencing on 6th instant-

Lost

Journal of yesterday read and approved.

Reports of Standing Committees

Committee on Enrollment by its Chairman, Mr Johnson reported.

S. M. and J. R. No. 3. "Asking Congress to Es-
"tablish and maintain a Mint for Coinage
"at Denver, Colorado"

S. M. and J. R. No. 8. "Memorial to Congress for
"grant of Arid Lands for Irrigating Pur-
"poses".

S. B. No. 55 entitled "A Bill for an Act
"to Compel owners of Coal Mines to fence
"their Slack Piles and Abandoned Pits"

S. B. No. 77 entitled "A Bill for an Act con-
"cerning Interest"- and

S. B. No. 147 entitled "A Bill for an Act-

"to provide for the proper representation
"of the Products and Manufactures of the
"State of Colorado at the Paris Exposi-
"tion in the year A.D. 1878". back to the
Senate correctly enrolled. ——————

Committee on Printing by its Chair-
man, Mr Johnson, reported ——————
S. B. No. 58, entitled "A Bill for an act
"to repeal the existing laws relating to
"the Deaf mute Institute of the State of
"Colorado, and enact other provisions in
"lieu thereof, and to establish an In-
"stitute for the Education of the Blind"
back to the Senate correctly printed. ——

Committee on Engrossment, by its
Chairman, Mr Maxwell, reported ——
S. 11 and H. R. No. 12, "To the Congress of the
"United States praying for the Estab-
"lishment of a Military Post between
"Fort Lyon and Union, and near the line
"between Colorado and New Mexico" back to
the Senate correctly engrossed. ——————

Committee on Incorporations by its
Chairman, Mr Ellsworth reported ——
S. B. No. 128, entitled "A Bill for an act

"authorizing Railroad Corporations to is-
"sue Bonds, and to mortgage their Road
"Bed, Fixtures, Property and Franchises, to
"secure the payment of such Bonds." back
to the Senate with the recommendation
that it do lie on the Table ———

———— also ————

S. B. No. 123 entitled "A Bill for an Act
"to provide for the Election of a Police Mag-
"istrate in certain Cities, defining his
"duties and jurisdiction and providing
"for his Compensation" back to the Senate,
with sundry amendments, and the
recommendation that the Bill and a-
mendments and accompanying documents
be referred to Committee on Judiciary-

———————————————————————

Committee on Agriculture and Manu-
factures by the Chairman, Mr Gardner,
reported. ———————————————————————

S. B. No. 73, entitled "A Bill for an Act
to prevent the firing of Woods &c/ Prairies.
"to ~~establish a State Board of Agriculture~~
"~~and to define its duties~~" back to the
Senate with sundry amendments, and
the recommendation that the amend-
ments be agreed to, and the bill as so
amended Engrossed for 3d reading. ———

———————————————————————

Committee on Judiciary by its Chairman Mr Rockwell, reported ——————
Sec. 97 of S. B. No. 37 entitled "A Bill for "an act to establish and maintain a "System of Free Schools" back to the Senate, with amendment, and the recommendation that the amendment be agreed to, and bill passed as amended. ——————

S. B. No. 58 referred to Committee of the Whole. ——————

Mr Ellsworth moved. ——————
To adopt report of Committee on Corporations on Senate Bills No. 125 and 128 — carried. ——————

Mr Butters moved. ——————
To adopt report of Committee on Agriculture and Manufactures on S. B. No. 32. — carried. ——————

Mr Maxwell moved. ——————
To adopt the report of Committee on Judiciary on Sec. 97 of S B. No. 37 ——————
To agree to proposed amendment and ——————
To order the Section as amended to be engrossed. ——————

Absent and Not Voting

Messrs Bleacon, Hamill, Weldrum and Weyer — 4.

So the Senate concurred in the Amendments proposed by the House to S. B. No. 35.

Reading of Bills

S B. No. 75, entitled "A Bill for an act "to establish the County of Gunnison" Read 1st time

S. M. and J. R. No. 12. read 3d time — and Passed by following vote.

Ayes — Messrs Banks, Bates, Bennet, Butters, Lelelland, Dr. Frueh, Ellsworth, Gardner, Hall, Hamilton, Hixson, Hill, Johnson, Macneil, Mayzenbaw, Randall, Saunders, Taylor and Webster — 19.

Noes. — None.

Absent and Not Voting

Messrs Bleacon, Gannon, Hamill, Hayes, Weldrum, Weyer, and Rockwell — 7.

Title agreed to.

S. B. No. 140, entitled "A Bill for an act "to amend Chapter 61 of the Revised Statutes of Colorado.

Read 3d time and

Passed by following vote.

Ayes - Messrs Bowles, Bates, Branch, Butters, Caldwell, De France, Ellsworth, Gardner, Hall, Hamilton, Hewson, Hill, Johnson, Maxwell, Mayrenbeus, Randall, Saunders and Taylor 18

Noes - Mr Webster 1

Absent and Not Voting

Messrs. Beacom, Gannon, Hamil, Haynes, Mehlhaus, Meyer, and Rockwell 7

Title agreed to.

Mr Ellsworth moved,

To postpone reading and final action on H. B. No 192 until to-morrow.

Carried.

Special Order.

H. B. No. 8 entitled "A Bill for an act "to provide for the payment of salaries "to Officers of the Executive and Judicial "Departments of the State of Colorado" — Taken up, and placed on file for 3rd reading and final passage.

H. B. No. 8 read 3d time and Passed by following vote —

Ayes.—Messrs. Baxla, Bates, Bennett, Butters, Chacon, Clelland, De-France, Edlemith, Gardner, Hall, Hamilton, Hayes, Hixson, Hill, Holmes, Mcarell, Mayhew, Randall, Rockwell, Saunders and Webster — 21.

Noes.—Mr Taylor — 1.

Absent and Not Voting — Messrs Jameson, Hamill, Medsker and Meyer — 4.

Title agreed to.

The following named Senators voted

for the Bill under protest, with the explanation that they did not wish to retard the business of the Senate and requested that the explanation be made of record, viz.

Messrs Lebelland, De France, Hamilton and Hill

S. R. No. 11. "Relative to Evening Sessions of the Senate"

Taken up and Read.

Mr Butters moved,

To adopt the Resolution

Ayes and Noes called with following result.

Ayes:- Messrs Butters, Lebelland, Ellsworth, Gardner, Hall, Hayner, Hill, Johnson, Maxwell, Randall, Rockwell, Saunders and Webster — 13.-

Noes.- Messrs. Banks, Bates, Bennett, Clemens, De France, Hamilton, Herron, Morgenthau and Taylor — 9-

Absent and Not Voting

Messrs. Garrison, Hamill, Weldman and Meyer — 4-

Mr Bennett raised point of order that the rules as to hours of meeting of the Senate could not be changed without the vote of 2/3 of members Elect.

The President decided Point of Order not well taken—

The motion adopted.

Mr Butler asked unanimous consent to present a report Consent granted—

Comm. on Finance, Ways & Means

by its Chairman, Mr Butler, reported— H. B. No. 199 entitled "A Bill for an act "to pay Herman Beckwith for Printing "One Thousand (1000) Copies of Election "Laws" back to the Senate with the recommendation that the bill do pass.

Mr Ellsworth moved, To adopt report Lost

Mr Ellsworth asked unanimous consent To place H. B. No. 199 on 3rd reading, and

final passage.

Consent granted and

H. B. No. 199 read 3d time and

Passed by following vote:

Ayes.—Messrs Barker, Bates, Bennett, Butters, Clinton, Littlefield, Ellsworth, Gaudreau, Hall, Hamilton, Higgins, Hill, Johnson, Maxwell, Moynahan, Randall, Saunders, Taylor, and Webster — 19—

Noes. — None

Absent and Not Voting

Messrs. Dr Franca, Garrison, Hamlet, Haynes, Micklem, Meyer and Rockwell. — 7

Title agreed to.

Mr Ellsworth moved that the Senate now resolve itself into the Committee of the whole, on General Fish bounties.

So the Senate went into Committee

of the Whole with
Mr Bennett in the Chair.

The Committee of the Whole rose,
The Senate resumed its session and
The following report was read.
Mr President

The Committee of the Whole House, have had under consideration the General File
Have made sundry amendments to S. B. No. 58, and report it back with the recommendation that the amendments be adopted and bill engrossed for 3d reading.

H. P. Bennett
Chairman.

Mr Ellsworth moved
To agree to report
Carried,

Mr Ellsworth moved,
To adjourn
Carried

So at 12 M. the Senate adjourned

Afternoon Session

Senate met at 2 P. M.

Mr Randall asked unanimous consent to present a report from Committee granted

Committee on Public Lands by Chairman, Mr Randall, reported, S. B. No. 43 entitled "A Bill for an act "to provide for the Selection, Location, Appraisal, Sale and Leasing of State Lands." back to the Senate with Sundry amendments and the recommendation to adopt amendments & refer bill to Committee of the Whole.

Mr Randall moved.

To adopt report

Carried

Mr Ellsworth moved.

That the Senate now resolve itself into the Committee of the Whole on General File

Carried.

The Senate went into Committee of the Whole with Mr Butler in the Chair

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The Committee of the Whole rose and The Senate resumed its session for the purpose of receiving the following.

Message from the House

State of Colorado.

House of Representatives

Denver, Feb. 1st 1897.

To the Honorable,

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed H. B. No. 65 and has amended and passed S. B. No. 30 both of which are herewith transmitted

Respectfully

W. B. Felker

Chief Clerk of the House

The Senate again went into Committee of the Whole with Mr Butler in the Chair

The Committee of the Whole rose. ——
The Senate resumed its Session and ——
The following report was read ——
Mr President ——

The Committee of the Whole House have had under consideration the General Fil. and ——
Recommend that S.B. No. 47, entitled
"A Bill for an Act to provide for the
"Printing of the Constitution of the
"United States, the Declaration of In-
"dependence, the Enabling Act, and Con-
"stitution of the State together with all
"the Laws of this State, in the next Ses-
"sion and compact form, with an
"index to the Same" Do refuse to Com-
mittee on Judiciary — also, ——
Recommend that H.B. No. 182, entitled
"A Bill for an act to repeal Section one
"of an Act entitled 'An act to incorpo-
"rate the City of Black Hawk' approv-
"ed Feb. 10th A.D. 1865, relating to the
"appointment of a Board of School Di-
"rectors for said City and to enact other
"provisions in lieu thereof" do pass, — also —
Have made some progress with S.B. No.
61, entitled "A Bill for an Act concern-
"ing Counties, County Officers and County

"Government, and repealing all laws
"on that subject" and ask leave to
sit again

Alfred Butler
Chairman

Mr Abbott moved

To adopt report and

To grant request

Carried.

Mr Johnson asked unanimous consent
to present certain reports.

Consent granted and

Committee on Printing by its Chair-
man, Mr Johnson reported

S. B. No. 49 entitled "A Bill for an act
"to provide for the Construction of Buildings
"used for Public Assemblages" and

S. B. No. 118. entitled "A Bill for an act
"to insure the Public Health" back to the
Senate correctly printed

Committee on Enrollment by its Chair-
man, Mr. Johnson, reported

S. B. No. 35, back to the Senate correctly
enrolled

Mr Hamilton asked unanimous Consent to present a report ——— Consent granted ———

Joint Committee on Enrollment by its Chairman Mr Hamilton reported. ——— Senate Bills No. 147, 77 and 55 and Senate Memorials and Joint Resolutions No. 3 and 8. Comm. by enrolled and signed by the Speaker of the House. ———

Mr Tilton was read and ———

The President announced the signing of. S. M. and J. R. No. 3, — S. M. and J. R. No. 8, — S. B. No. 53 — S. B. No. 77, — and — S. B. No. 14 ———

Mr Webber moved. ———

To refer S. B. No. 49 and S. B. No. 118 to Committee of the Whole ———

Carried. ———

Mr Ellsworth moved. ———

To grant Mr de France Leave of absence for this evening's session. ———

Carried. ———

Mr Webber moved ———

To adjourn. ———

Carried

So at 5 P.M. the Senate adjourned.

Evening Session

Senate met at 7½ P.M.

Mr Maxwell moved.
That the Senate now resolve itself into the Committee of the Whole on General File
Carried.

So the Senate went into Committee of the Whole with
Mr Butters in the Chair.

The Committee of the Whole rose. &d
The Senate resumed its Session for the purpose of receiving the following

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Feb. 1st 1877.

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed H. B. No. 95 which is herewith transmitted—

Respectfully

N. B. Felker

Chief Clerk of the House.

The Senate again went into the Committee of the Whole. with Mr Butters in the Chair

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The Committee of the Whole rose, and The Senate resumed its session. The following report was read.

Mr President

The Committee of the Whole House has had under consideration the General File.

Has made sundry amendments to S. B. No 61. and recommend that the amendments be agreed to, and bill as amended engrossed for 3rd reading

Alfred Butters.

Adjournment.

Mr Lelland moved

To recin report and

To agree to amendments

Carried.

Mr Wiscroll moved

To adjourn

Carried

So at 10 P.M. the Senate adjourned

Journal of the Senate

February 2nd 1870

Approved.

General Assembly of Colorado

Senate

First Session

Friday. February 2nd 1877.

Senate met pursuant to adjournment

Lieutenant Governor presiding ——

Roll call ——

Absent.- Messrs Hamill (excused) Bales Hamilton. Wiedeman and Meyer.-

Quorum present. ——

Prayer by the Chaplain ——

Journal of yesterday read. and approved ——

Mr Bales appeared and took his seat. ——

—— Reports of Standing Committees. ——

Committee on Engrossment by its Chairman. Mr Hamill reported ——

S. B. No. 37 entitled "A Bill for an act "to establish and maintain a System "of Free Schools" and

S. B. No. 73 entitled "A Bill for an act "to prevent the fining of words and "jurors" with amendments to each correctly engrossed, also, an additional section to S. B. No. 37 providing an "Emergency Clause" back to the Senate with recommendations to adopt.

Committee on Judiciary by its Chairman. Mr Rockwell reported

S. B. No. 121. entitled "A Bill for an Act "regulating the practice in case of Preliminary Examinations before Justices of "the Peace while acting as Coroners "of the Peace" back to the Senate, with the recommendation that it do pass.

Mr Rockwell moved

To adopt the Report

Carried

Mr Wasmell moved.

To agree to amendment proposed to S. B. No. 37 adding an Emergency Clause thereto

Carried

S. B. No. 30 entitled "A Bill for an act "for the Protection of Wild Game and In- "sectivorous Birds and Amendments pro- posed by the House Taken up and Read

Mr Bennett moved. To refer to Committee on Agriculture and Manufactures Carried.

Reading of Bills

H. B. No. 95 entitled "A Bill for an act "to repeal an act to amend Chapter "55 of the Revised Statutes of Colorado, "entitled Limitations, approved Feby, "4th 1876, and relating to new Counties" Read 1st time

H. B. No. 65 entitled "A Bill for an act to "enable Counties having a debt exceeding "$5000 - to fund the same by issuing Bonds" Read 1st time.

Mr Bennett moved To lay on the Table Carried.

S. B. No. 75 entitled "A Bill for an act
"to establish the boundary of Grazier" —
Read 2nd time

Then it all moved
To refer to Committee on Printing, with
orders to print
bounds

S. B. No. 121. read 3d time and
Passed by following vote
Ayes-Messrs. Banks, Bates, Bennett,
Butters, Deacon, Delelland, De France
Ellsworth, Gaudin, Gaussin, Hall,
Haynes, Hewson, Hill, Johnson, Wan-
wall, Weymouth, Randall, Rockwell,
Saunders and Taylor. —— 21 —

Noes. —— Noes.

Absent and Not Voting
Messrs Hamill, Hamilton, Mel-
drum, Meyer and Roberts —— 5 —

Title agreed to

S. B. No. 73, read 3d time

Mr Bennett moved
To refer to Committee on Incorporations
Carried

H. B. No. 182 entitled "A Bill for an
"Act to repeal Section One of an Act
"entitled "An Act to incorporate the City
"of Black Hawk, Approved Feb. 10th A.D. 18
"65 relating to the appointment of a Board
"of School Directors for said City and to
"enact other provisions in lieu thereof -
Read 3d time and

Passed by following vote

Ayes - Messrs Banks, Baker, Blossom,
Ellsworth, Gardner, Gaussin,
Hall, Hanson, Hill, Johnson,
Maxwell, Randall, Rockwell,
and Saunders — 12

Noes - Messrs Bennett, Butters, Lebellum
De France, Haynes Meyrueis, and
Webber — 7

Absent and Not Voting

Messrs Hamill, Hamilton, Weld-
man, Meyer and Taylor — 5

Title agreed to.

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 2nd 1877.

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House refuses to concur in the Senate's amendment to S. B. No. 38, and insists upon its own amendments to the same bill. The House refuses to concur in the Senate's amendments to H. B. No. 8 and invites a Committee of Conference. — Messrs. Helm, Adams and Canfield have been appointed on the Conference Committee on the part of the House, relative to H. B. No. 8

Respectfully

N. B. Fellows

Chief Clerk of the House

S. B. No. 37. read 3d time and

Passed by following vote

Ayes. Messrs Banks, Bates. Brunk, Butler, Chaves, Chilcott, Dr France, Edwards, Gammon, Hall, Haynes, Hinson, Hill, Johnson, Maxwell, Meyrahan, Randall, Rockwell,

Saunders and Nebeker — 20

Ayes, — None

Absent and Not Voting

Messrs Gardner, Hamill, Hamilton, Meldrum, Meeker and Taylor — 6

Title Agreed to.

Mr Rockwell moved, To reconsider the vote whereby H. B. No. 192 was passed, Carried.

Message from the Governor

State of Colorado
Executive Department.
Denver. Feby. 1st 1877.

Hon Lafayette Head
President of Senate

Sir

I have the honor to transmit herewith a certified copy of a Joint Resolution, passed by the Legislature of Minnesota to which I beg leave to call the attention of your Honorable

Bodey

Very Respectfully
John L. Routt
Governor.

Mr Butler moved
To refer Communication and Accompany Documents to Committee on Federal Relations
Carried.

Mr Rockwell moved.
To appoint a Committee of Conference on the part of the Senate on H. B. No. 8 entitled "A Bill for an Act to "provide for the payment of Salaries to "Officers of the Executive and Judicial "Departments of the State of Colorado"—
Carried.

The President appointed as such Committee Messrs Rockwell, Moyer and Ellsworth.

Mr Ellsworth moved
To refer
S. B. No. 38 entitled "A Bill for an Act "to provide for the Exercise of the Right

"of Eminent Domain" to Committee on Incorporations

Carried.

S. R. No. 12. "Relative to appointment of a Commission on H. B. No. 87"

Taken up and Read.

Mr Dr France moved

To adopt S. R. No. 12

Roll of the Senate

Mr Butters moved.

A Roll of the Senate.

Mr Ellsworth asked.

What the seconding of the Roll Be taken by Ayes and Noes.

The roll was called and the result of the same was as follows.

Ayes.- Messrs. Butters, Deacon, Gardner, Hall, Haynes, Maxwell, Merryweather, Randall, Saunders, and Webster — 10.

Noes. Messrs Banks, Bates, Bennett,

Mr Mitchell, Dr Frances, Ellsworth, Jamieson, Hewson, Hill, Johnson, Rockwell and Taylor ——— 12.

Absent and Not Voting

Messrs. Hamill, Hamilton, Weldon and Meyer ——— 4.

So the bill was rejected

The roll was then ordered called, and the following Senators were marked as absent, viz

Senators Hamill, Hamilton, Weldon and Meyer ——— 4

Mr Rockwell moved

To dispense with further proceedings under the call.

Ayes and Noes called with following result.

Ayes.-Messrs. Barela, Bates, Bennett, Mitchell, Dr France, Ellsworth, Jamieson, Hewson, Hill, Johnson, Rockwell, and Taylor. — 12.

Noes.-Messrs Butters, Coleman, Gardner, Hall, Haynes, Maxwell, Moyna-

Messrs. Randall, Saunders and Webster ——— 10

About and Not Voting ———

Messrs Hamill, Hamilton, Meldrum and Meyer ——— 4.

Several motions were lost. ———

The President announced ———

the door to be closed. ———

Mr Ellsworth moved. ———

That the Sergeant-at-Arms be directed to telegraph Messrs Hamill and Meyer and require the presence of Messrs Hamilton and Meldrum. ———

carried. ———

Mr Bennett moved ———

To adjourn. ———

The President declared that the motion was out of order, in the absence of any report of the Sergeant-at-Arms under a call of the Senate. ———

Mr Bennett appealed from the decis-

ions of the Privileges". ——————

——————

The question being "shall the decisions of the Chair be sustained" The Ayes and Noes were demanded, The following was the result ——

Ayes - Messrs Abbett, Dr Frances, Ellmaker, Gaussoin, Hill, Holmes and Robertson. —— 7.—

——————

Noes. - Messrs. Banks, Bates, Bennet Buttles, Chenoweth, Gardner, Hall, Haynes, Hewes, Mansell, Moyamensing, Randall, Saunders, Taylor and Webster —— 15.—

——————

Absent and not Voting ——————

Messrs Hamill, Hamilton, Meldrum and Meyer —— 4.—

——————

So the Chair was not sustained. ——

——————

The Sergeant-at-Arms reported that he had telegraphed Messrs Hamill, and Meyer, had received a telegram from Mr Meldrum, and that he had been unable to find Mr Hamilton. ——

——————

Mr Saunders moved, that the report of the Sergeant-at-Arms be received and accepted, carried.

Mr motion of Mr Bennet to adjourn was then called up and the Ayes and Noes being ordered, the following was the result of the vote.

Ayes-Messrs Banks, Bates, Butler, Bennet, Deacon, Gardner, Gamble, Hall, Hayes, Heron, Marshall, Rockwell, Saunders, Taylor, and Webber — 15

Noes.-Messrs. Lelelland, Dr Franco, Ellsworth, Hill, Johnson, Mayne and Randall — 7

Absent and Not Voting

Messrs Hamlet, Hamilton, Muldrow and Meyer. — 4

So at 12 O'clock and 40 minutes the Senate adjourned

Afternoon Session

Senate met at 2 P. M.

Mr De France moved To make the consideration of S. R. No. 12 a Special Order for Monday next at 10 A.M. Carried

Mr Randall moved To amend by making it a Special Order for Tuesday instead of Monday. Carried

The question recurring on the original motion of Mr De France as amended it was Carried.

Mr Hamilton asked unanimous consent to present a report Consent granted and

Joint Committee on Enrollment by its Chairman, Mr Hamilton, reported.

Senate Bills No. 147, 77, and 55, and S. M's and J. R's No. 8 and 3 presented to His Ex-

cellency, the Governor, for this Ap-
proval, at 5 to O'clock P.M. February
1st 1877.

Message from the Governor

State of Colorado
Executive Department
Denver, Feb. 2-1877

Hon Lafayette Head
President of Senate

Sir

I have the honor to in-
form you, that I have this day, Sign-
ed Senate Bills, Nos. 55, 70, 77, 147 and
S. M's and J. R's Nos 3 and 8 and have filed
the same with the Secretary of State-

Very Respectfully
John L. Routt
Governor.

Mr Wandell asked unanimous Con-
sent to present a report.
Consent granted-and

Committee on Engrossment, by its
Chairman, Mr Wandell reported
S. B. No. 58 entitled "A Bill for an act

"to repeal the existing laws relating
"to the Board of Institutions of the State
"of Colorado, and enact other provisions
"in lieu thereof, and to establish an
"Institute for the Education of the Blind
"in connection therewith" back to the
Senate correctly engrossed.

Mr Randall moved,
To suspend the rules and
To place S.B. No. 58 on its 3rd reading and
final passage.

Mr Bennet moved
To refer S.B No. 58 to Committee on
State Institutions and Public Buildings
with instructions to investigate the
subject of title to the property, and
Constitutionality of the Bill
Carried.

Mr Webster moved.
That the Senate now resolve itself
into the Committee of the Whole
on General File
Carried.

So the Senate went into Committee

of the Whole with
then still in the Chair.

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read
Mr President
The Committee of the Whole have
had under consideration the Gene-
ral File
Has made sundry amendments to S. B.
No. 43, entitled "A Bill for an Act to
"provide for the Selection, location, ap-
"praisal, sale and leasing of State Lands"
and recommend the adoption of such
amendments and the reference of the
Bill as amended to Committee on Public
Lands

L. M. Hill,
Chairman

Mr Hayes moved
To agree to report
Carried.

Mr Mansell moved
To grant Mr Randall leave of absence
until Monday morning next.

Carried

Mr Ellsworth asked unanimous consent to submit a report

Consent granted &c.

Committee on Incorporations by its Chairman, Mr Ellsworth, reported.

S. B. No. 38 back to the Senate with the recommendation that the Senate insist upon its amendment to House amendment of Section 6, Line 46, also, that the Senate concur in House amendments to Sections 7, 13, 14, 15 & 17 of said bill.

Mr Maxwell moved

To adopt the report.

Ayes and Noes called with following result:

Ayes - Messrs Barela, Bennett, Butterworth, Clelland, De Francia, Ellsworth, Gardner, Gennetti, Hall, Haynes, Hinson, Hill Johnson, Maxwell, Morgenstern-Randall, Rockwell, Saunders, Taylor and Webber ——— 20

Noes, ——— None

About and Bob Tolley

Messrs Bates, Beacom, Hamill, Hamilton, McElderry and Thayer — 6.

So the motion was carried.

Mr Rockwell asked unanimous consent to present a report of Committee granted and

Committee of Conference on the part of the Senate, on H.B. No. 8 reported as follows.

To the President of the Senate

Your Committee of Conference on Fees and Salaries, respectfully report, that they have had the same under consideration and have agreed upon the following Salaries.

Governor	$2500-
Private Secretary	1200-
Lieutenant Governor	800-
Secretary of State	2.000-
Clerk Clerk	1.000-
Auditor of State	1.800-
Treasurer of State	1800-
Supt. of Public Instruction	1800-
Supreme and district Judges	3250-

Attorney General ——— 18 00
District Attorneys ——— 8 00
and Fees to amount of ——— 25 00
L. L. Rockwell ———
L. L. Ellsworth ———
James Mayes ———

Mr Saunders moved ———
To adjourn until to-morrow at 9 o'clock ———
Carried ———

So at 5 30 P. M. the Senate adjourned ———

Journal of the Senate

February 3d 1877.

General Assembly of Colorado

Senate

First Session

Saturday February 3d 1877.

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call

Absent Messrs Bates, Hamill, Haynes, Mel-
drum, Meyer, Randall, Rockwell
Taylor and Webster

Quorum present

Mr Moynahan moved
To grant leave of absence to the messenger
Mr Carver until Wednesday next.
Carried

Mr Butters moved
to grant leave of absence to the Chaplain
Mr. Watson for Monday and Tuesday next
Carried.

Mr Hill moved
To grant leave of absence to Mr Haynes for

to days session

Carried

Prayer by the Chaplain

Mr Taylor appeared and took his seat.

Journal of yesterday read and approved

Mr Bates appeared and took his seat

Mr Butters moved

To grant Mr Hamill leave of absence

until Monday next

Carried

Reports of Standing Committees.

Committee on Immigration by its Chairman

Mr Saunders reported

S.B.N. 52 entitled "A Bill for an Act to

"establish a Board of Immigration" "

"Report of Committee on Immigration" back

to the Senate with the recommendation that

they be referred to Committee on Printing

with orders to print.

Committee on Judiciary by its Chairman Mr Rockwell reported H.B.# 19 entitled "A Bill for an Act to "provide for the payment of the claim of Wm. "Whist for translating the Constitution of "the State into the German language" and H.B.# 135 entitled "A Bill for an Act for "the relief of Las Animas County" back to the Senate with the recommendation that they do pass.

Mr Butters moved to adopt Report of Committee on Judiciary and place H.B's # 19 and 135 on file for 3rd reading Carried

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Feby 2nd 1877

To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has passed H. J.R. # 9 which is herewith transmitted

Respectfully

W. B. Felton
Chief Clerk of the House.

Mr Webster appeared and took his seat

Committee on Finance Ways and Means by its Chairman Mr Butters reported H B # 265 entitled "A Bill for an Act "for the relief of the Widow" of C. Dominguez back to the Senate without Amendment (an)
H. B # 219 entitled "A Bill for an Act "for the relief of Silas C. Bennet of Clear "Creek County" back to the Senate with Amendments and the recommendation that the Bills do pass

Mr Bennet moved
To refer report of Committee on Finance Ways and Means on H. B # 219 to Committee of the Whole
Carried

Committee on Finance Ways and Means by its Chairman Mr Butters further reported H. B # 190 entitled "A Bill for an Act to "provide a fund for the building and main- "tenance of the Agricultural College of "Colorado" back to the Senate with the recom-

mendation to be referred to "Committee of the Whole" also,

H. (B.) 233 entitled "A Bill for an Act to provide for the appointment of a Commissioner to report a plan of organization of a State "Reform School" with amendments and recommend its passage" also

H. B. 221 entitled "A Bill for an Act to provide for issuing warrants by the "Auditor in payment of rent and contingent "expenses of the Executive, Legislative and "Judicial departments" without amendments and recommend its passage.

Mr Butters moved
To adopt report of Committee on Finance Ways and Means on H. B. 190
Carried.

Mr Bennet moved
To refer report of Committee on Finance Ways and Means on H. B. 190 to Committee of the Whole
Carried.

Mr Saunders moved
To adopt reports of Committee on Immigration
Carried.

Committee on Federal Relations by its Chairman Mr Bennet reported "Communications from the Governor of the "State and the State Authorities of the "State of Minnesota" back to the Senate with a S. Mem & J.R. No 13 "Joint Resolution on the subject "of Grasshoppers.

Mr Saunders of same Committee reported S.B.No 97 entitled "A Bill for an Act con- "cerning the receiving of money from the "United States of America" back to the Senate with the recommendation to refer Bill to Committee on Finance, Ways and Means.

Mr Bennet moved to adopt reports of Committee on Federal Relations Carried

Committee on Education by its Chairman Mr Maxwell reported S.B.No 236 entitled "A Bill for an Act "to amend the Charter of Georgetown" back to the Senate and recommend that it be placed on file for 3d reading.

Committee on Engrossment by its Chairman Mr Maxwell reported S.B.# 32 entitled "A Bill for an Act to establish a State Board of Agriculture "And to define its duties" back to the Senate correctly engrossed.

Committee on Elections by its Chairman Mr Haynes reported S.B.# 170 "A Bill for an Act to Appropriate "the sum of eighteen Dollars to pay "Allison A. De France for money advanced "by him" (and)

S.B.# 171 "A Bill for an Act to Appropriate "money to pay witnesses Summoned to "testify in the contested election case" back to the Senate without Amendment. And the recommendation that the Bills be placed on file for 1st reading

Mr Hill moved to adopt report of Committee on Elections (Carried.)

Joint Committee on Enrollment by its Chairman Mr Hamilton reported H.B.# 199 correctly enrolled and signed by the Speaker of the House

Reading of Bills

H.B.N. 170
Read 1st time

H.B.N. 171
Read 1st time.

H.J.R.N. 9 "Memorial to the Secretary
"of War asking for the establishing of a
"Military Post in the Uncompahgre
"Valley in the State of Colorado."
Read 1st time.

Mr Moynahan moved
To refer to Committee on Indian Affairs
Carried

H.J.R. N. 13 "In relation to the appropri-
"ation of Public Lands for the destruction
"of the Grasshoppers"
Read 1st time.

Mr Meldrum Appeared and took his seat

H.B.N. 95 entitled "A Bill for an Act
"to repeal an Act to amend an Act to
"Amend Chapter 55 of the Revised Statutes

"of Colorado, entitled "Permit[illegible]"
Approved Febry 4th 1876"
(Read 2nd time a.m.)
Referred to Committee of the Whole.

S.B. No 19
(Read 3d time a.m.)
Passed by following vote

Ayes Messrs Barela, Bates, Bennet,
Chaun, Clelland, De France,
Ellsworth, Gardner, Gouseen, Hall,
Hamilton, Hill, Johnson, Moyna-
han Saunders Taylor) a.m. Webber 17

Noes None

Absent and not voting
Messrs Butters, Hamill, Haynes,
Henson, Maxwell, Meldrum,
Meyer, Randall and Rockwell 9

Title agreed to

H.B No 221
(Read 3d time a.m.)
Passed by following vote

Ayes Messrs Barela, Bates, Bennet,
Chacon, Clelland, De France,
Ellsworth, Gardner, Gaussoin, Hall,
Hamilton, Henson, Johnson, Max-
well, Meldrum, Moyniahan, Saund-
ers, Taylor and Webster 19

Noes None

Absent and not voting
Messrs Butters, Hamill, Haynes
Hill, Meyer Randall and Rockwell 7

Title agreed to

A.B.N. 936
read 3d time and
Passed by the following vote

Ayes Messrs Barela, Bates, Bennet,
Chacon, Clelland, De France,
Gardner, Gaussoin, Hall, Hamilton,
Henson, Johnson, Maxwell, Meldrum,
Moynahan Saunders, Taylor
& Webster 18

Noes None

Absent and not voting

Messrs Butler, Ellsworth, Hamill, Haynes, Hill, Meyer, Randall and Rockwell 8

Bill agreed to

H. B 265

Read 3d time and

Passed by following vote

Ayes Messrs Barclay, Bates, Bennet Butters, Chacon, Clelland, Gardner, Jameson, Hall, Hamilton, Hill, Johnson Maxwell and Meldrum 14

Noes Messrs De Francq, Ellsworth, Henson, Moynahan, Saunders, Taylor and Webster 7

Absent and not Voting

Messrs Hamill, Haynes, Meyer Randall and Rockwell 5

Bill agreed to

Mr Moynahan moved

To refer S. B. N 32 to Committee on Agri

culture and Manufactures
Carried

Joint
Committee on Enrollment by its Chairman Mr Hamilton reported
S.B.# 35 correctly enrolled and signed by the Speaker of the House.

The Titles were read (Am)
The President announced the signing of

S.B.# 35 entitled "A Bill for an Act to
"regulate the compensation of the Mayor,
"Aldermen and Trustees of Cities and Towns"
(Am)

H.B.# 199 entitled "A Bill for an Act
"to pay Herman Beckurts for printing
"1000 copies of election laws"

Mr Bunnell moved
To excuse Mr Henson from attendance
for one week from to-morrow
Carried.

Mr Butters moved
That the Senate now resolve itself into
the Committee of the Whole on General
File.

In the Senate went into Committee of the Whole with Mr Hall in the Chair.

The Committee of the Whole rose, The Senate resumed its Session and The following report was read

Mr President.

The Committee of the Whole House has had under consideration the General File and has instructed me to report back to the Senate H. B. No 95 with the recommendation that the Bill be referred to Committee on Judiciary also

S. B No 49 with some amendments and the recommendation to be referred to Committee on State Institutions and Public Buildings with instructions to report a Section relative to Stairways also

H. B. No 219 with the recommendation to be referred to Committee on Judiciary and

H. B. No 233 with the recommendation that the Bill be referred to Committee on Education to report a plan for the organization

of a reform school.

J. B. Hall
Chairman

Mr Clelland moved
To receive report
Carried

Unanimous consent being given

Committee on Engrossment by its
Chairman Mr Maxwell reported
S. B. No 61 back to the Senate correctly
engrossed

and

Committee on Incorporations by its
Chairman Mr Ellsworth reported
S. B. No 133 entitled "A Bill for an Act
"to regulate charges for transportation of
"Passengers and Freight by Railroad
"Companies" back to the Senate with the
recommendation to be indefinitely post
poned.

Mr Maxwell moved
To adopt report of Committee on Incor-
porations on S. B. No 133.
Carried

Mr May well moved

To adjourn

Carried.

So at 12 m. the Senate adjourned.

Afternoon Session

Senate met at 2 P. M.

Unanimous consent being given
The Joint Committee on Enrollment by its
Chairman Mr Hamilton Reported
A. B. No 199 and
S. B. No 35 presented to His Excellency
the Governor for his approval at 12 o'clock
M. February 3d 1877

Mr Ellsworth moved
That the Senate now resolve itself into
the Committee of the Whole on General
File
Carried.

So the Senate went into Committee of
the Whole with
Mr Meldrum in the Chair.

The Committee of the Whole rose,
The Senate resumed its Session and
The following report was read

Mr President
The Committee of the Whole

House has had under consideration the
General File.
Also amended S.(B.N. 118 entitled "A Bill
"for an Act to preserve the public health"
And recommend that the Bill be referred
to Committee on Federal Relations with
instructions to report the necessary penalties
and a Section to compel the Board of
Health to take notice of cases of a contagious character and a further
requirement that the Board of Health
shall select a comfortable and suitable
Building to be used as a Hospital.

L. A. Meldrum
Chairman

Mr Clelland moved
To adopt report
Carried.

Mr Hall moved
To suspend the Rules &c
To place S.B.N. 61 on its 3rd reading &
final passage

Rules suspended &c

S.B.N. 61 entitled "A Bill for an
"Act concerning Counties, County Officers

"And County Government and repealing
"All Laws on those subjects."
(Read 3d time and)
(Passed by following vote

Ayes Messrs Bennet, Butters, Chacon,
Ellsworth, Gardner, Jamison, Hall,
Hamilton, Hill, Johnson, Maxwell,
Meldrum, Saunders Taylor and
Webster 15

Noes None

Absent and not voting
Messrs Barela, Bates, Clelland,
De France, Hamill, Haynes,
Henan, Meyer, Moynahan
Randall and Rockwell 11

Bill agreed to

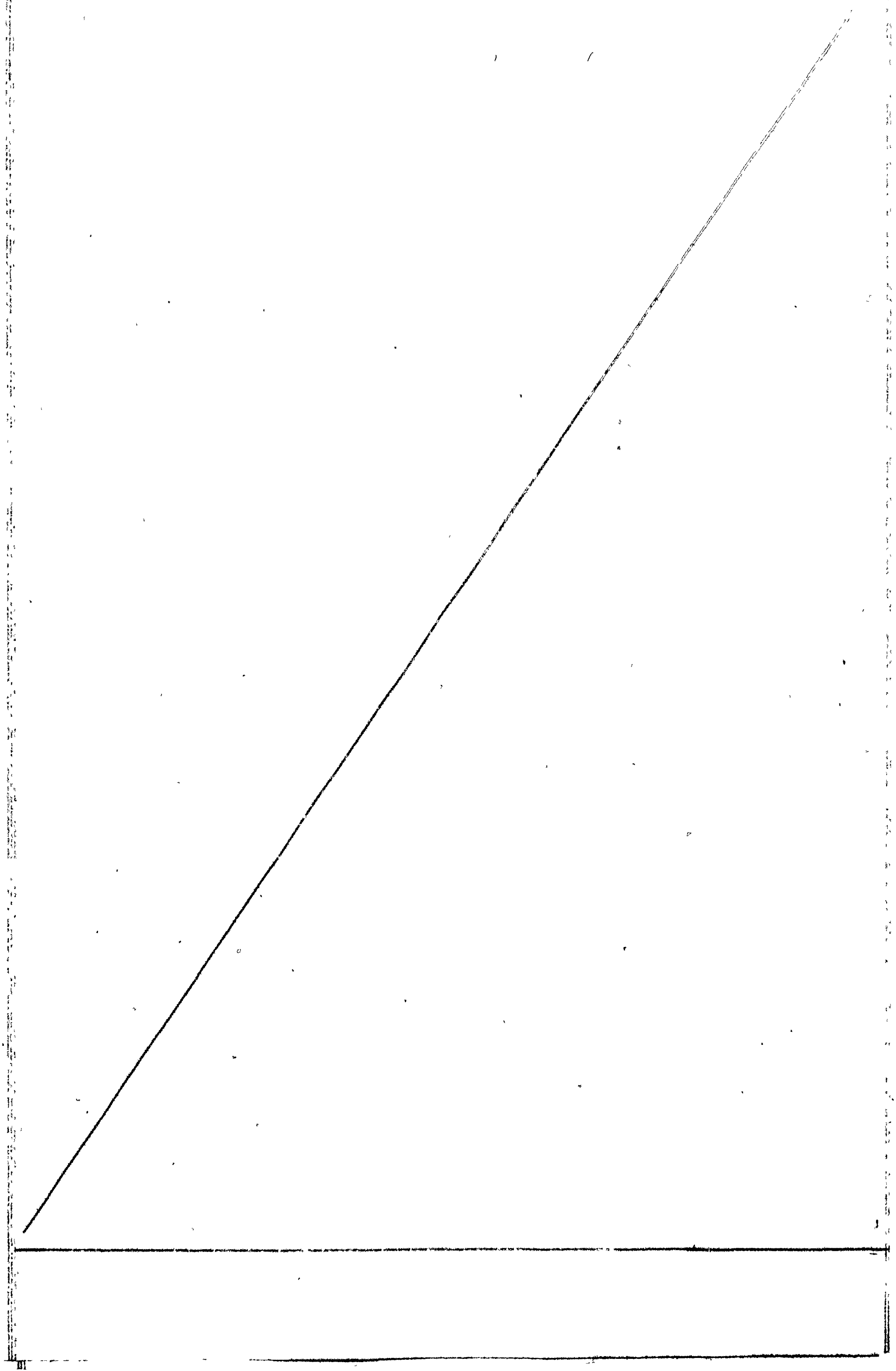
Mr Ellsworth moved
To re-refer A. B. No 8 (Report concerning Salaries) to Committee
of Conference.
Carried

Mr Webster moved
To adjourn until Monday morning

Gedeckt

Traurig

Soal 4.50 P.M. Alle Segel aufgeiennt.



Journal of the Senate

February 5th 1877

Approved

General Assembly of Colorado

Senate

First Session

Monday, February 5th 1877

Senate met pursuant to adjournment.

Lieutenant Governor presiding

Roll Call

Absent - Messrs Hanson (excused) Bates Clelland, De France, Gardner, Haynes, Maxwell, Meldrum, Meyer, Randall, Rockwell and Webber.

Quorum present

Prayer by the Chaplain.

Messrs Bates and Clelland appeared, and took their seats

Journal of Saturday Feby. 3rd read, and approved

Petitions and Memorials.

Mr Bennett presented Petition of Hugh Butler and others, praying for publication of Supreme Court Reports

Mr Bennett moved To refer to Committee on Finance, Ways and Means. Carried.

Reports of Standing Committees.

Committee on Penitentiary by its Chairman, Mr Montgomery, presented Report of Managers of the Penitentiary with the recommendation that it be ordered printed

Mr Lobdell moved To adopt report Carried.

Mr Noble offered and read his report,

Committee on Immigration by its Chairman, Mr Saunders, reported.

S. B. No. 129 entitled "A Bill for an act "concerning the State Board of Health" back to the Senate with the recommendation that it be filed for 1st reading.

Mr Saunders moved. To adopt report carried

Special Joint Committee on Penitentiary Affairs, by its Chairman, Mr Hopkins presented a report, recommending 1st The appointment of a Joint Committee to visit the Penitentiary and 2nd The passage of a Joint Resolution asking Congress to pass a law donating Penitentiary Building etc. to this State.

Mr Rockwell appeared and took his seat.

Reading of Bills

S. B. No. 129 read 1st time

S. B. No. 170 entitled "A Bill for an act to "appropriate the sum of Eighteen dollars to "Alleen H. De France, for expenses in con- "tested Election case"

Read 2nd time

Mr Brunck moved

To refer to Committee on Finance. Ways and Means

Carried.

S. B. No. 171 entitled "A Bill for an Act to "appropriate money to pay veterans in Cor- "ps Ed Edelen Car Veterans Joseph T. Boyd. "and Allen H. de Franc"

Read 2nd time.

Mr Brunck moved.

To refer to Committee on Finance. Ways and Means

Carried.

S. M. and J. R. No. 13. "Relative to Congressional "Legislation in aid of States afflicted with "Grasshoppers"

Read 2nd time - and

Referred to Committee of the Whole.

Mr Saunders moved

To refer S. B. No. 129 to Committee on Fi- nance, Ways and Means

Carried.

S. B. No. 67, entitled "A Bill for an Act "to facilitate the recovery of Ore unlawfully "taken by theft or trespass; to regulate "the sale and disposition of Ore, and for the "better protection of mine owners" with amendments proposed by the House.

Taken up.

Mr Hamill moved.

To concur in Amendments

Ayes and Noes called with following result.

Ayes.-Messrs Banks, Bates, Bennett, Blacow, Clelland, Ellsworth, Gannon, Hall, Hamill, Hamilton, Hill, Johnson, Moyneham, Rockwell, Saunders, Taylor and Webber — 17.

Noes. — None.

Absent and Not Voting

Messrs Butters, De France, Gardner, Haynes, Henson, Maxwell, Meldrum, Meyer, and Randall — 9.

So the Senate concurred in House Amendments to S. B. No. 67.

H. B. No. 192 entitled. "A Bill for an act "to provide for the disposition of Lots and par- "cels of Land held in trust by the corporat- "authorities of any town or by any Judge "under the provisions of any act of Congress "or of the General Assembly of Colorado, or "both which are still undisposed of" ——— Taken up and further amendments offered by Hon Ellsworth to Section 1. ———

Hon Ellsworth moved. ———

To adopt amendments— and ———

To order them engrossed. ———

Ayes and Noes called with following re- sult. ———

Ayes- Messrs Banks, Bates, Bennet, Bloom, Lelland, Ellsworth, Gannon, Hall, Hamill, Hamilton, Hill, Johnson, Morgenthau, Rockwell, Saunders, Tay- lor and Webster ——— 17-

Noes. ——— None

Absent and Not Voting ———

Messrs. Butters, De France, Gendron, Haynes, Hixon, Mansell, Meldrum, Meyer and Randall ——— 9

So the Senate adopted the proposed amendments to H. B. No. 192 and ordered them engrossed.

Mr Wheldon offered and read his Seat.

Unanimous Consent being given, Committee on Judiciary, by its Chairman, Mr Rockwell, reported H. B. No. 20, entitled "A Bill for an act to "amend an act Concerning Costs in Criminal Cases." back to the Senate with the recommendation that it be referred to Committee of the Whole.

Mr Rockwell moved To adopt report Carried

Mr Dr France offered and read his Seat,

Mr Rockwell moved That the Senate now resolve itself into the Committee of the Whole on General File Carried.

So the Senate went into Committee of the Whole with.

Mr Saunders in the Chair.

The Committee of the Whole Room
The Senate resumed its Session and
The following report was read.
Mr President

The Committee of the Whole House has had under consideration the General File.
Has amended H. B. No. 20 and recommend that it do pass as amended. Also.
Recommend that S. W. and L. R. No. 13 do pass.—
T. O. Saunders
Chairman.

Mr Lelland moved.
To agree to report
Carried.

Unanimous Consent being given.
Committee on Counties and County Lines
by its Chairman, Mr Hall reported
S. B. No. 59 entitled "A Bill for an Act con-
"cerning Change of County Lines, Organi-
"zation of new Counties and locating their
"County Seats, Adjustment of Matters of
"Liabilities and Revenue, Returned Counties.
"Transfer of Records of Property and Causes

"in the bounds, changing county seats,
"and the repeal of all laws inconsistent
"herewith" back to the Senate with the
recommendation that it be filed for 1st
reading.

Mr Hall moved.
To agree to report
carried.

Mr Hall moved.
To suspend the rules 2nd
Read S.B. No. 59 1st time.
Carried.

— Message from the House

State of Colorado.
Chamber of the House of Representatives
Denver, Feby. 5th 1877

To the Honorable
The Senate of the State of Colorado

I am instructed to inform
your Honorable Body that the House
has receded from its 2nd amendment
to Sec. 6 of S.B. No. 38 and has concurred
in the Senate's amendment to the same
section of same bill. S.B. No. 38 is here-

with transmitted

Respectfully

W. B. Fellows

Chief Clerk of the Senate.

S. B. No. 59 read 1st time

Mr Merriam moved.

To instruct the Committee on Printing

to refer

S. B. No. 50 and S. B. No. 153 to the Joint Com-

mittee appointed under H. C. R. No. 17,

Carried.

Unanimous Consent being given,

Committee on Agriculture and Manufac-

tures by Mr Merriam, reported

S. B. No. 32 entitled "A bill for an act

"to establish a State Board of Agriculture

"and to define its duties" back to the Senate

with the recommendation that it be en-

grossed.

Mr Merriam moved

To adopt its Report

Carried.

Mr Roberts moved.

To adjourn sine die.

So ordered at 10:45 A.M. the Senate adjourned.

Afternoon Session

Senate met at 2 P.M.

Unanimous consent being given.

Joint Committee on Enrollment by its Chairman Mr Hamilton reported.

H. B. No. 236 entitled "A Bill for an act "to amend the Charter of Georgetown" correctly enrolled and signed by the Speaker of the House.

The title was read and

The President announced the signing of H. B. No. 236.

Mr Haynes appeared and took his seat.

Unanimous consent being given.

Committee on Engrossment by Mr Saunders reported H. B. No. 20 and H. B. No. 192 back to the Senate with amendments correctly engrossed.

Unanimous consent being given, Committee on Privileges by its Chairman, Mr Waynick, reported S. B. No 154 entitled "A Bill for an act to "repeal the act concerning bails and to "enact other laws in place thereof back to the Senate with the recommendation that it be read 1st and 2nd time

Mr Waynick moved. To adopt report Carried.

Unanimous consent being given, Mr Ellsworth moved. To place H. B. No. 20 and H. B. No. 192 on 3rd reading and final passage Carried.

H. B. No. 20, read 3rd time

Mr Ellsworth moved.

To print June 7th action on H. B. No. 20.
Carried

Message from the House

State of Colorado

Chamber of the House of Representatives
Denver, Feby. 5th 1877

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body, that the House has passed S. 11 and S. R. No. 12, S. B's. No. 29 and 127 has amended and passed, S. B's No. 54, 62 and 119. all of which are herewith transmitted.

Respectfully
N. B. Fellows
Chief Clerk of the House.

H. B. No. 192 read 3d time and passed by following vote.

Ayes - Messrs. Banks, Bates, Butters, Chacon, Chilcott, Edwards, Hall, Hamill, Hamilton, Haynes, Meldrum, Saunders, Taylor and Roberts — 14.

Ayes - Messrs Brunt, De France and Wyman — 3.

Absent and Not Voting

Messrs Gardner, Gaussoin, Hanna, Hill, Johnson, Maxwell, Meyer, Randall, and Rockwell — 9

Title agreed to

S. B. No. 119 entitled "A Bill for an act "providing for the payment of the balance "due A. R. Dyer and to provide for transmitting the Constitution of Colorado into the Spanish Language" and Amendments proposed by the House,

Failed unanimously.

The Rules read,

To concur in House Amendments — Ayes and Noes called with following result—

Ayes—Messrs Barela, Branch, Butters, Chacon, Clelland, De Francq, Ellsworth, Hall, Hamill, Hamilton, Haynes, Saunders, Taylor and Worden — 14

Noes—Mr Bates and Mr Holbrook. — 2

Absent and Not Voting

Messrs Gardner, Gaussoin, Hanna,

Hill, Johnson, Maxwell, Meyer,
Morgenthaler, Randall & Rockwell — 10 —

So the Senate concurred in House amendments to S. B. No. 62

S. B. No. 62 entitled "A Bill for an act "to provide a Seal for the Supreme Court "of Colorado" and amendments proposed by the House.

Failed of passage.

Mr Dr France moved, To concur in House Amendments

Ayes and Noes called with following result.

Ayes — Messrs. Butters, Hall, Morgenthaler, and Saunders — 4 —

Noes. — Messrs, Barela, Baker, Bennet, Deacon, Delelland, De France, Ellsworth, Hamill, Hamilton, Hayden, Hill, Merlehan, Taylor and Webster — 10 —

Absent and Not Voting

Messrs Gardner, Gaunson, Hanson, Johnson, Maxwell, Meyer, Randall,

So the Senate resumed the Consideration of the House Amendments to S. B. No. 62.

Mr. Lelelland moved,
To suspend the rules &
Take up bills on 1st reading
Lost.

H. B. No. 45 entitled "A Bill for an act
"to provide for the protection and preser-
"vation of Fish and to repeal Certain
"other laws relating thereto"
Read 1st time

S. B. No. 154 read 1st time

Mr Dr Franco moved
To adjourn until 10 am. to-morrow
Carried

So at 3 P. M. the Senate adjourned.

Journal of the Senate

February 6th 1877

Afternoon

General Assembly of Colorado.

Senate
First Session
Tuesday, February 6th 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding

Roll Call

Absent—Messrs Henrow Enoch and Dr France, Hamill, Meyer, Rockwell and Taylor

Quorum present.

Prayer by the Chaplain.

Mr Butler moved, To grant the Chaplain, leave of absence until Saturday next.

Mr Dr France appeared and took his seat

Journal of yesterday read and

Agreed

Mr Hamill appeared and took his seat.

Reports of Standing Committees.

Committee on Enrollment by its Chairman. Mr Johnson, reported. — S. B. No. 67, entitled "A Bill for an act "to facilitate the Recovery of Ore, taken "by theft or trespass. To regulate the "Sale and disposition of the same" and "for the better protection of Mine Owners" back to the Senate Correctly enrolled.—

Committee on Finance, Ways and Means by its Chairman, Mr Butlers, reported — H. B. No. 206 entitled "A Bill for an "Act to appropriate moneys to pay "for the Capture and return of Fugi- "tives from Justice" back to the Senate with amendment and the recommendation to pass as amended.—

Committee on State Institutions and Public Buildings. by its Chair-

Mr. Ober reported
S. B. No 60 entitled "A Bill for an Act
"for the Establishment and location
"of a Hospital for the Insane of the
"State, and to provide rules for the
"regulation and government of the
"same" back to the Senate without
amendment and the recommendation
to print the same.

also

S. B. No. 119. entitled "A Bill for an act
"to provide for the construction of build-
"ings used for public assemblages" back
to the Senate with amendments.

Joint Committee on Enrollment

by its Chairman, Mr Hamilton,
reported

H. B. No. 221. entitled. "A Bill for an
"Act to provide for issuing Warrants
"by the Auditor in payment of Rent,
"and Contingent Expenses of the Execu-
"tive, Legislative and Judicial Depart-
"ments and to repeal all acts incon-
"sistent with this act" Correctly en-
rolled and signed by the Speaker
of the House.

Committee on Engrossment, by its Chairman, Mr Maxwell, reported S. B. No. 32, entitled "An Bill for an act "to establish a State Board of Agri- "culture and to define its duties" back to the Senate correctly engrossed.

Reports of Special Committees

Mr Moynahan presented the following report.

To the

President of the Senate

Your Committee of Conference on H. B. No. 8, known as the Salary Bill respectfully report, that they have had three meetings of such Committee and cannot agree upon a report, and ask to be discharged.

I. C. Helm,	L. C. Rockwell
Alva Adams	L. C. Ellsworth
Isaac Canfield	James Moynahan,
Committee on the	Committee on the
part of the House	part of the Senate

Mr Ellsworth moved,

To receive the report and

To discharge the Committee ——— Report. ———

Mr Yolmer moved. ———
To refer S. B. No. 54 entitled "A Bill for
"an Act to provide for the Public Print-
"ing and Publishing and Distribution of
"the Laws" and Amendments proposed by
the House to Committee on Printing —
Carried. ———

Reading of Bills

S. B. No. 154 entitled "A Bill for an
"Act to repeal the Act concerning
"Jails and to enact other Laws in
"place thereof" ———
Read 2nd time ———

Mr Lelelland moved. ———
To refer to Committee on Printing,
with orders to print. ———
Carried. ———

S. B. No. 59, entitled "A Bill for an act
"concerning change of County Lines,
"Organization of New Counties and Loca-
"ting their County Seats. Adjustment

"of matters of Liabilities and Revenue.
"Returns Counties, Transfer of Records
"of Property, and Courts in the Courts.
"Changing County Seats and Repealing
"all laws inconsistent herewith" ——
Read 2nd time ——

Mr Hall moved. ——
To refer to Committee on Printing,
with orders to print. ——
Carried. ——

H. B. No. 45, entitled "A Bill for an Act,
"to provide for the Protection and Preser-
"tion of Fish and to repeal certain other
"laws relating thereto" ——
Read 2nd time ——

Mr Ellenwood moved. ——
To refer to Committee on Agriculture
and Manufactures ——
Carried ——

S. M. and H. R. No. 13." Requesting the Senators
"and Representatives from Colorado, in the
"Congress of the United States to secure
"if possible such legislation as will ap-
"propriate the proceeds of the sale of the

"Public Lands in the several States af-
"fected with Grasshoppers, to those States
"to be used in the payment of Bounties,
"for the destruction of such Grasshoppers"—
Read 3d time and
Passed by following vote

Ayes.—Messrs. Banks, Bates, Bennet,
Bulter, Deacon, Delelland, DeFranc,
Ellsworth, Gardner, Gassoway, Hall,
Hamill, Haynes, Hill, Johnson,
Maxwell, Meldrum, Moyneham,
Randall, Saunders and Webster— 21.—

Noes. None.

Absent and Not Voting

Messrs. Hamilton, Henson, Meyer,
Rockwell and Taylor 5.

Title agreed to.

H. B. No. 20. entitled "A Bill for an act
"to amend an act concerning costs in
"Criminal Cases."
Read 3d time and
Passed by following vote.

Ayes.—Messrs. Barela, Bates, Bennett, Butters, Johnson, De France, Ellsworth, Gardner, Hall, Hamill, Haynes, Hill, Johnson, Maxwell, Woynaban, Randall, Saunders and Webster ——— 18.—

Noes.—Messrs Lobelland and Meldrum ——— 2

About and Not voting ———

Messrs. Jameson, Hanson, Meyer Hamilton, Rockwell and Taylor ——— 6.—

Title agreed to. ———

The title was read and ———

The President announced the signing of H. B. No. 221. ———

Message from the Governor

State of Colorado

Executive Department

Denver Feby. 6th 1877.

Hon Lafayette Head ———

President of the Senate ———

Sir ———

I have the honor to inform

you, that I have signed Senate Bills No. 6 entitled "An act to provide for the "payment of certain claims for Printing "the Constitution of the State" and ——— No. 35 "An act to regulate the Compensa- "tion of the Mayor, Aldermen, and Trustees "of Cities and Towns" ——— And have filed the same with the Sec- retary of State ———

Very Respectfully ———
John L. Routt ———
Governor ———

Mr Ellsworth moved ———
To adopt report of Committee on State Institutions and Public Buildings on S. B. No. 6 Con- curred. ———

Mr Ellsworth moved ———
To adopt amendments proposed by Com- mittee on State Institutions and Public Buildings to S. B. No 49 ———
Carried. ———

Message from the House ———

State of Colorado ———
Chamber of the House of Representatives

Denver, Feby. 6th 1877.

To the Honorable,

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed H. B. No. 102 relative to the establishment of a Commissioner of Mines which is herewith transmitted.

Respectfully

W. B. Felker

Chief Clerk of the House.

S. B. No. 32 read 3d time

Mr Bennett moved.

To amend by adding to Section 6, the following words.

"And in default of such transfer within "six Ninety days after said organiza- "tion, this act shall cease to have "any force or effect"

Carried.

Ayes and Noes called for

Bill passed by following vote.

Ayes.-Messrs Banks, Bates, Bennett, Butters, Coleman, Clelland, De France, Ellsworth, Gardner,

Hall, Hamill, Hamilton, Haynes, Hill, Johnson, Mansell, Meldrum, Morgenbesser, Randall, Saunders, & Webster ——— 21

Noes. ——— None

Absent and Not Voting

Messrs Jamison, Hairston, Meyer, Rockwell and Taylor ——— 5

Title agreed to.

Special Order

The House having arrived for the consideration of S. R. No. 12 "Relative to appointment of a Commission on H. B No. 87"—

Mr De France moved

To postpone action and

To make it a Special Order for Wednesday Feby. 7th 1877

Carried.

Unanimous consent being given.

Committee on Judiciary, by Mr Brent, reported.

S. B. No. 123, entitled "A Bill for an "Act to provide for the election of a "Police Magistrate in certain Cities "defining his duties and jurisdiction "and providing for his compensation" back to the Senate with the recommendation that it be referred to the Special Committee of members from 8th District

---

Hon Bennett moved _____

To adopt report _____

Carried _____

Unanimous Consent being given. _____

Committee on Federal Relations, by its Chairman, Hon Bennett, reported— S. B. No. 118. entitled "A Bill for an "Act to preserve the Public Health" back to the Senate with sundry amendments _____

Hon Bennett moved. _____

To agree to amendments _____

Carried. _____

Hon Bennett moved. _____

To order the Bill as amended to be engrossed for 3rd reading. _____

Carried.

Mr Butters moved
To adopt amendments proposed by
Committee on Finance, Ways and Means
to H. B. No. 206 and
To order them engrossed.
Carried.

Mr Saunders moved.
To adjourn
Carried.

So at 12 O'clock and 15 minutes the
Senate adjourned.

Afternoon Session

Senate met at 2 P. M.

Mr Taylor appeared and took his
Seat.

Unanimous consent being given. —
Committee on Finance, Ways and
Means by its Chairman, Mr Butt-
ler reported —
S. B. No. 170, entitled "A Bill for an
"Act to appropriate the sum of Eight-
"een Dollars to pay Allison H. Dr-
"France for certain expenses in Con-
"tested Election returns Joseph. T.
"Boyd and Allison H. Dr France" and —
S. B. No. 171, entitled "A Bill for an Act
"to appropriate money to pay certain
"returns in contested Election case.
"returns Joseph T. Boyd and Allison H.
"Dr France" back to the Senate, with
the recommendation that the bills do
pass. —

Mr Butler moved. —
To refer S. B. No. 170 & S. B. No. 171 to Com-
mittee on Printing with orders to print
& carried. —

Unanimous consent being given. —
Committee on Printing by its Chair-
man, Mr Johnson, reported. —
S. B. No. 75, entitled "A Bill for an
"Act to establish the County of Gun-

"Mirror" back to the Senate correctly enrolled

S. B. No. 75 referred to Committee of the Whole

Unanimous Consent being given.—
Joint Committee on Enrollment by its Chairman, Mr Hamilton, reported

House Bills No. 236 and 251 presented to His Excellency the Governor for his approval at 12 30 O'clock P. M. February 6 - 1877. And

H. B. No. 265 and S. B. No. 67. correctly enrolled and signed by the Speaker of the House.

Mr Butters moved,
To suspend the rules and
To take up all bills on 1st reading.
Carried.

H. B. No. 102 entitled "A Bill for an "Act to establish the office of Commissioner of Mines and to repeal certain "acts concerning Assay Offices"
Read 1st time

The bills was read and

The President announced the signing

of

H. B. No. 265 entitled "A Bill for an act

"for the relief of the Widow of C. Dennis-

"gueg." and

S. B. No. 67.

Mr Gardner moved.

That the Senate now resolve itself into

the Committee of the Whole on Gen-

eral File

carried.

So the Senate went into Committee of

the Whole with

Mr Gardner in the Chair.

The Committee of the Whole rose.

The Senate resumed its session and

The following report was read.

Mr President

The Committee of the Whole

House have had under consideration the

General File.

Have amended S. B. No. 75 and recommend

that it be engrossed and placed on file

for 3rd reading - also.

Recommend that S. B. No. 49 be engrossed for 3d reading, also.

Recommend that H. B No 190 entitled "A "Bill for an act to provide a fund for the "building and maintenance of the Agri-"cultural College of Colorado" be referred to Committee on Agriculture and Manufactures.

I. F. Gardner

Colemans

Mr Lehelland moved,

To agree to report

Lowers.

Mr Brent moved

To adjourn until 10 am. to-morrow

Carried.

So at 3 P.M. the Senate adjourned.

Journal of the Senate

February 7th 1877

Afternoon

General Assembly of Colorado.

Senate

First Session

Wednesday Feby 7th 1877

Senate met pursuant to adjournment.—

Lieutenant Governor presiding ——

Roll Call ——

Absent—Messrs Hunt (excused) Dr-
Francs, Meyer, Rockwell and
Webster ——

Quorum present. ——

Message from the House

State of Colorado ——

Chamber of the House of Representatives.
Denver Feby. 6th 1877. ——

To the Honorable ——

The Senate of the State of Colorado. ——

I am instructed to inform your Honorable Body that the House has passed H. B. No. 36. establishing a Depart-

ment of Insurance and H. B. No. 58 both of which are herewith transmitted.

Respectfully

N. B. Fellows

Chief Clerk of House.

Messrs De France and Webster appeared and took their seats

Journal of yesterday read and approved.

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver Feby. 7th 1877.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has passed H. B. No. 87 which is herewith transmitted

Respectfully

N. B. Fellows

Chief Clerk of the House.

Reports of Standing Committees

Committee on Engrossment, by its Chairman, Mr Maxwell, reported — S. B. No. 75, entitled "A Bill for an act "to establish the County of Gunnison" and Amendments to H. B. No. 206, entitled "A Bill for an act to appropriate moneys to pay for the capture and return "of Fugitives from Justice" back to the Senate correctly engrossed. —

Joint Committee on Enrollment by its Chairman, Mr Hamilton, reported. —

H. B. No. 265 and S. B. No. 67 presented to His Excellency, the Governor, for his approval, at 3 40 O'clock P. M. February 6th 1877 —

Committee on Printing by its Chairman, Mr Solomon, reported. —

S. B. No. 52, entitled "A Bill for an act "to establish a Board of Immigration" back to the Senate, correctly printed —

Committee on Agriculture and Manufactures by its Chairman, Mr Gardner, reported. —

S. B. No. 80, entitled "A Bill for an act con-

"Carrying Papers and Enclosures in the "State of Colorado," back to the Senate with the recommendation that bill be placed on file for 1st and 2nd reading.

Committee on Judiciary. by Mr Bennet reported.

S. B. No. 89. entitled "A Bill for an act "relating to Forcible Entry and Detainer"

and

S. B. No. 148, entitled "A Bill for an act "to provide for the Numbering of the Statutes and for the recital of the same "in Judicial Proceedings"

and

S. B. No. 53, entitled "A Bill for an act "to authorize the District Courts to allow fees to Counsel, assigned to Prisoners in certain cases" back to the Senate with the recommendation that S. B. No. 53 do pass and that S. B. No. 89 and S. B. No. 148 do lie on the Table.

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Feby 7 1877.

I am instructed to inform your Honorable Body that the House has concurred in the Senate's amendment to H. B. No. 206.

The House insists upon its amendments to S. B. No. 62, which is herewith transmitted.

The concurrence of the Senate is requested

Respectfully

W. B. Fellows

Chief Clerk of the House.

Mr Bennet moved.

To adopt report of Committee on Judiciary on S. B. No. 89 and S. B. No. 148, Carried.

Mr Butler moved.

To concur in Amendments proposed by the House to S. B. No. 62 entitled "A Bill for an act "to provide a Seal for the Supreme Court "of the State of Colorado"

Ayes and Noes called with following result

Ayes. Messrs Banks, Bennet, Butler, Chilcott, Gardner, Hall, Hamill,

Haynes, Johnson, Macneill, Weldon, Morgenthaler, Randall, Saunders and Webber ——— 15-

Noes - Messrs Baker, Lehelland, de France, Ellsworth, Gaussoin, Hamilton, Hill and Taylor ——— 8-

Cabaniss and Not Voting ———

Messrs Hanson, Meyer and Rockwell - 3 -

So the Senate concurred in such amendments. ———

Reading of Bills

S. B. No. 53, read 1st time ———

S. B. No. 80 read 1st time. ———

Message from the House

State of Colorado ———

House of the House of Representatives.

Denver, Feby. 7th 1877. ———

To the Honorable ———

The Senate of the State of Colorado. ———

——— I am instructed to inform

your Honorable Body that the House desires the return of S. B. No. 54 "A Bill "for an Act to provide for the Publish "ing and distribution of the Laws" ——

Respectfully ——

M. B. Fellows ——

Chief Clerk of the House. ——

H. B. No. 58 entitled "A Bill for an Act "to repeal Section 16. of Chapter 53 of "the Revised Statutes of Colorado" ——

Read 1st time ——

Was Hall moved, ——

To return S. B. No. 54 to the House as per its request ——

Carried. ——

H. B. No. 36, entitled "A Bill for an Act "to establish and provide means for the "support of a Department to regulate "Insurance Companies doing business "in the State of Colorado" ——

Read 1st time ——

H. B. No. 87 entitled "A Bill for an Act "providing a System of Procedure in Civil "Actions in the Courts of Justice of the

State of Colorado.

Read 1st time to, and including Section 50. when,

Hon Hamill moved.

To suspend reading of bills until a new committee of conference could be appointed on H. B. No. 8 entitled "A Bill "for an act to provide for the payment of "Salaries to Officers of the Executive and "Judicial Departments of the State of Col- "orado" Carried.

Hon Hamill moved

The appointment of such a committee. — Carried. — Ad

Hon President appointed as members of such committee on the part of the Senate

Messrs Hamill, Bennet and Hayzer. —

Reading of Bills resumed — Ad

H. B. No 87 read 1st time from Section 51 to, and including Section 138 - when.

Hon Bennet moved.

To adjourn
Carried.

So at 12 M. the Senate adjourned

Afternoon Session.

Senate met at 2 P. M.

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver. Feby. 7th 1879.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that Messrs McIntyre, Morrison and Wilkins have been appointed on the part of the House on the Conference Committee on H. B. No. 8.

Respectfully

Mr. B. Fellows
Clerk of the House

Unanimous consent being given.
Joint Committee on Enrollment by its Chairman, Mr Hamilton, reported H. B. No 20, correctly enrolled and signed by the Speaker of the House.

The Title was read and
The President announced the signing of H. B. No 20, entitled "A Bill for an act "to repeal an act entitled 'An act concerning costs in Criminal Cases' approved Feby 7th 1876"

Reading of Bills resumed and
H. B. No 87 read 1st time and including Section 139.

H. B. No 102 entitled "A Bill for an act "to establish the office of Commissioner "of mines and to repeal certain acts concerning Territorial Assay offices"
Read 2nd time

Mr Hamill moved.

To refer to Committee on Mines and Mining.

S. B. No 75 read 3d time and Passed by the following vote

Ayes.—Messrs Banks, Bennett, Butters, Bleecon, Ellsworth, Gardner, Gaussoin, Hall, Harrill, Hill, Johnson, Meldrum, Moyniahan, Randall, Saunders, and Webster — 16.

Noes.—Messrs Lehlbach, and Maxwell. — 2.

Absent and Not Voting

Messrs Baker, Dr France, Haynes, Henson, Meyer, Rockwell, Hamilton and Taylor — 8.

Bill agreed to.

H. B. No. 206 read 3d time and Passed by the following vote

Ayes.—Messrs. Bennett, Butters, Bleecon, Lehlbach, Ellsworth, Gardner, Gaussoin, Hall, Hamilton, Hill, Johnson, Maxwell, Meldrum,

Mcgrudan, Randall, Saunders, and Webber ——— 17.—

Noes—Mr Barela ——— 1—

Absent and Not Voting ———

Messrs Baker, De France, Hamilton, Haynes, Hewson, Meyer, Rockwell and Taylor ——— 8—

Title agreed to. ———

Special Order.

The Lower having arrived for the consideration of S. R. No. 12 "Relative to appointment of a Committee on H. B. No. "87" ———

Mr Ellsworth asked, ———

What action is pertinent, and ———

Made the Special Order for Thursday, Feby. 8th 1877. ———

Mr Hamill objected. ———

Call of the Senate.

Mr Ellsworth moved. ———

A Call of the Senate ———

The following named Senators secon-
ded the call, viz. ——————————
Messrs Bennett, Clelland, Hamilton,
Hill and Barela ——————— 5.

So the call was seconded. ——————

The roll was then ordered called. and
The following Senators were noted
as absent viz. ——————————
Senators Hewson (excused) Baker, De-
France, Meyer, Rockwell, and
Taylor ——————————— 6.

The President thereupon directed the
Sergeant-at-Arms to close the doors.

Mr Butters moved. ——————
To dispense with further proceedings
under the call. ——————

The question arising whether such
motion was debatable ——————
The Ayes and Noes were called with
following result. ——————
Ayes. Messrs Barela, Bennett, Clel-
land, Ellsworth, Garrison, Ham-
ill, Haynes, Hill, Johnson,

Maxwell, Saunders, and Webster—12.

Noes.—Messrs Butters, Deacon, Gardner, Hall, Hamilton, Meldrum, Moyneaux, and Randall — 8

Absent and Not Voting

Messrs. Bates, De Faucer, Hewson, Meyer, Rockwell and Taylor—6.

So the Senate decided the motion debatable.

The question recurring on the motion to dispense with further proceedings.—The Ayes and Noes were called with following result.

Ayes.—Messrs Brunck, Butters, Deacon, Gardner, Gannon, Hall, Hamilton, Haynes, Maxwell, Meldrum, Moyneaux, Saunders, and Webster — 13.

Noes—Messrs. Banks, Delelland, Ellsworth, Hamiel, Hill, Johnson and Randall, — 7.

Absent and Not Voting

Messrs Baker, De France, Hewson,
Mayer, Rockwell and Snyder ——— 6.—

The President decided that the motion
was lost 2/3 of all members present not
voting therefor. ———

Thereupon, The President dispatched the
Sergeant-at-Arms for absentees. ———

Mr Butters moved ———
To dispense with further proceedings
under the call. ———

The question arising, whether the motion
was in order, no other motion having
intervened, since action was had on a
similar proposition ———
The Ayes and Noes were called with
following result. ———
Ayes.—Messrs Brunt, Butters, Chaces,
Gardner, Gannon, Hall, Hamil,
Hamilton, Haynes, Johnson, Mar-
well, Meldrum, Mayenbaum, Saun-
ders and Webster ——— 15.—

Noes.—Messrs. Banks, Clelland, Ellis-
worth, Hill and Randall ——— 5.—

Absent and Not Voting ——————

Messrs Baker, De Pauw, Hemenway,
Meyer, Randall and Taylor —— 6.

So the Senate decided the motion in
order. ——————

The Sergeant-at-Arms presented Mr Baker
at the Bar of the Senate. ——————

The question recurring on the motion
to suspend further proceedings ——————
The Ayes and Noes were called with
following result. ——————

Ayes.-Messrs Brandt, Butler, Chacon,
Gardner, Garvin, Hall, Hamil-
ton, Haynes, Johnson, Marcell,
Meldrum, Moyer, Saunders,
and Webber ——————— 14.

Noes.-Messrs Barbo, Clelland, Ellsworth,
Hamill, Hill, and Randall. —— 6.

Absent and Not Voting ——————

Messrs Baker, De Pauw, Hemenway,
Meyer, Randall, and Taylor. —— 6.

So further proceedings under the Call

of the Senate were dispensed with.

Mr Taylor appeared and took his seat.

Mr Ellsworth moved,
To adjourn until 7½ P. M.

Mr Hamill moved
To adjourn until to-morrow at 9 A.M.

The question being on motion to adjourn until to-morrow at 9 A.M.
The Ayes and Noes were called with following result

Ayes.—Messrs Banks, Bleecker, Faulkner, Gansevoort, Hamill, Hamilton, Johnson, McElwain, Moyreau, Randall, Saunders, and Taylor—12.

Noes.—Messrs Baker, Bennet, Bullen, Clelland, Ellsworth, Hall, Hayner, Hill, Maxwell and Norbert—10.

Absent and Not Voting
Messrs De Graff, Henson, Meyer and Rockwell—4

So the motion was carried

At 5:20 P.M. the Senate adjourned

Journal of the Senate

February 8th 1877.

Approved.

General Assembly of Colorado.

Senate

First Session

Thursday, February 8th 1877

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call

Absent—Messrs Hanson (excused) / Baker
Barnett, De France, Gardner,
Hamilton, Meyer, Rockwell
and Rebeler

Journal of yesterday read and approved

Reports of Standing Committees.

Committee on Printing by its Chairman, Mr Johnson reported Senate Bill No. 170 entitled "A Bill for an "Act appropriating money to pay certain

"Expenses incurred by Allison H. De France
"in contested Election Case between Joseph
"T. Boyd and Allison H. De France" — and ——
Senate Bill No. 171, entitled "A Bill for an
"Act to appropriate money to pay certain
"Witnesses in contested Election Case between
"Joseph T. Boyd and Allison H. De France" back
to the Senate correctly printed. ——

Committee on Engrossment by its Chair-
man, Mr Maxwell reported ——
S. B. No. 118, entitled "A Bill for an Act
"to preserve the Public Health." back to the
Senate correctly engrossed ——

Committee on Elections by its Chair-
man. Mr Haynes reported. ——
S. B. No. 28 entitled "A Bill for an Act
"regulating Elections, and repealing all
"Penal Acts upon the subject." with
Pending amendments back to the Senate
Correctly engrossed. ——

Joint Committee on Enrollment
by its Chairman, Mr Hamilton, report-
ed. ——
H. B. No. 20 presented to His Excellency.
the Governor, for his approval. at 3 30

O'clock P. M. February 7-18;;

Hon Haynes moved.
To place S. B. No. 28 on file for 3d reading.
Carried.

Messrs. Baker, Bennet, Hamilton and
Nebeker appeared and took their seats.

Reading of Bills

S. B. No. 80 entitled "A Bill for an act
"Concerning Fences and Enclosures in the
"State of Colorado"
Read 2nd time

Hon Butters moved
To refer to Committee on Printing, with
order to print
Carried.

S, B. No. 53 entitled "A Bill for an Act
"to authorize the District Courts to allow
"Fees to Counsel assigned to Prisoners
"in Certain Cases"
Read 2nd time

Hon Hill moved

To refer to Committee on Printing, with orders to print. ——— Carried ———

H. B. No 58 entitled "A Bill for an act "to repeal Section 16 of Chapter 55 of the "Revised Statutes of Colorado" ——— Read 2nd time ———

Mr Lelland moved, ——— To refer to Committee on Judiciary ——— Carried ———

H. B. No. 36. entitled "A Bill for an act "to establish and provide means for the "support of a department to regulate "Insurance Companies doing business "in the State of Colorado" ——— Read 2nd time ———

Mr Hamill moved, ——— To refer to Special Committee of 3 consisting of the Chairmen of Committees on Finance, Ways and Means, Incorporations and Fees and Salaries ———

Mr Hamill moved ——— To refer to Special Committee of Five ———

Mr Brunt moved, to refer the Communication on Finance, Ways and Means and Claims

Mr Billtem moved, that the House be requested to return H. B. No. 206 entitled "A Bill for an act "to appropriate moneys to pay for the "Capture and return of Fugitives from "Justice" to the Senate for further consideration

Mr De France appeared and took his seat.

Messages from the House.

State of Colorado.
Chamber of the House of Representatives
Denver, Feby. 8th 1877.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed House Bills No. 94, 151, 204, 222, and 250 all of which are herewith transmitted

Sailer.

I am instructed to inform your Honorable Body that the House has concurred in all of the Senate amendments to H. B. No. 192. except the amendment to the latter part of Section 1. The House has amended that amendment and asks the concurrence of the Senate to the same. H. B. No. 192, is herewith transmitted. Upon the request of your Honorable Body H. B. No. 206 is hereby returned.

Respectfully

W. B. Fellers

Chief Clerk of the House.

H. B. No. 87 entitled "A Bill for an act "providing a System of Procedure in Civil "Actions in the Courts of Justice of the "State of Colorado"

Read 2nd time and including Section 96.

Special Order.

The hour having arrived for the consideration of S. R. No. 12." Relative to appointment of a Commission on H. B. No. 87. Mr Randall rises in the Chair.

Roll of the Senate.

Mr Dr France moved.

A Roll of the Senate

Mr Hamill moved

The Previous question.

Mr Dr France again moved a Roll of the Senate.

The Lieutenant Governor took the Chair.

Mr Bennett rose to a Point of Order that the motion of the Senator from the 6th was not in order, as the Senator from the 7th District was on the floor at the time the motion was made, and further that written the motion of the Senator from the 6th or of the Senator from the 7th District were stated by the Chair.

Mr Dr France rose to a Point of Order, Stating that the motion for the Previous question was not seconded.

Mr Lieutenant Governor called the President pro tem to the Chair.

Mr De France rose to a Point of Order that the Previous question was not seconded.

Upon explanation of Mr Randall, the President pro-tem declared the Point of Order not well taken.

Mr. De France moved, a Call of the House

The President pro-tem declared the motion of Mr De France, out of order as the Senator from the 6th Dist. was entitled to the floor.

Mr Hamill called for the Previous question,

Mr De France moved a Call of the House

The following named Senators responded to the Call viz.
Messrs Brush, Lelelland, Ellsworth.

Hill and Taylor — 5.

The Roll was called and
the following named Senators were
noted as absent, viz.
Messrs. Hewes (excused) Bowles, Mey-
er and Rockwell — 4.

The Sergeant-at-Arms was then
directed to lock the doors and
to bring in the absentees

Mr Butters, moved,
To dispense with further proceed-
ings under the call. —
Ayes and Noes called with the
following result —
Ayes.-Messrs Butters, Beacom,
Gardner, Gaussoin, Hall, Ham-
ill, Hamilton, Hayner, Max-
well, Meldrum, Randall, Saun-
ders and Webster — 13.-

Noes.-Bales, Bennett, Lelelland, De-
France, Ellsworth, Hill, Solus-
bee, Weymouth and Taylor — 9-

Absent and Not Voting —

Messrs Barela, Hixson, Meyer
and Rowland. 4.

Mr Speaker being 2/3 voting for the
motion it was Lost.

Mr Maxwell moved
To take a recess for 10 minutes

Mr Bennett rose to a Point of Order.

The Sergeant-at-Arms informed Mr
Barela at the Bar of the Senate.

Mr Saunders moved
To excuse Mr Barela for his non-at-
tendance

Mr Haynes moved
To impose a fine upon Mr Barela
for non-attendance

Mr Dr France rose to a Point of Order
That all motions were out of or-
der, until there was a full at-
tendance

Mr President pro-tem decided that

the Point of Order was not well taken.

Mr Gaussoin asked To be excused from voting on the motion.

Objected to

Ayes and Noes called with following result.

Ayes—Messrs Bales, Bennett, Butters Deacon, Dr Franca, Ellsworth, Gardner, Hamill, Hamilton, Hayes, Hill, Johnson, Macnell, Morgenthau, Randall, Saunders, Taylor and Webster 18

Noes—Messrs Lelelland, Hall and Weldman 3

Absent and Not voting

Messrs Barela, Gaussoin, Henroe, Meyer and Rockwell. 5

So Mr Gaussoin was excused from voting.

Mr Hamill asked To be excused from voting on the motion

Objected to:

Ayes and Noes called with the following result:

Ayes—Messrs. Butters, Bloom, Haynes, Johnson, Maxwell and Taylor — 6.

Noes—Messrs. Bales, Brunst, Lehelland, De France, Ellsworth, Gaedner, Hall, Hawillen, Hill, Meldrum, Morgenstern, Randall, Saunders and Webster — 14

Absent and Not Voting — Messrs Barta, Gaessius, Hamish, Hansen, Meyer and Rockwell — 6

So the Senate refused to excuse Mr. Hamill from voting.

Mr. Bales moved,

To adjourn

Ayes and Noes called with following result:

Ayes—Messrs De France, Gaessius, Johnson and Saunders — 4.

Noes—Messrs. Bales Brunst, Butters, Bloom, Lehelland, Ellsworth.

Gardner, Hall, Hamilton, Haynes, Hill, Maxwell, Meldrum, Moyne-han, Randall, Taylor, Harriet and Webster ——— 18

Absent and Not Voting ———

Messrs. Barker, Hewson, Meyer, and Rockwell ——— 4

So the motion was Lost. ———

The Sergeant-at-Arms reported ——— That he could not find Messrs Meyer and Rockwell in the lobby ——— That he delivered they own absent-tees-from, and requested ——— Further instructions ———

The question recurring upon the motion of Mr Saunders to excuse Mr Barker for non-attendance it was ——— adopted ———

Mr Hamill moved. ——— To excuse Messrs Meyer and Rockwell from attendance on the Senate. ———

Mr Bennett rose to a Point of Order ———

that it is not competent to make such a motion (under Rule 15) on a call of the Senate for a majority to excuse absent Senators.

The President pro-tem decided the Point of Order not well taken.

The question being,
Shall the decision of the Chair stand
as the decision of the Senate
The Ayes and Nos were called with the

following vote:

Ayes.—Messrs Banks, Butler, Bleasdale, Ellsworth, Gardner, Gassaway, Hall, Hamill, Hamilton, Haynes, Johnson, Mansfield, Melchers, Meyer, Randall, Saunders, and Taylor — 17.

Noes.—Messrs Bales, Bennett, Clelland De France, and Hill — 5

Absent and Not Voting

Messrs Hanson, Meyer, Rockwell and Webster — 4.

So the decision of the President pro-tem was sustained.

The question being upon the motion of Mr Hamill, to excuse Messrs Meyer and Rockwell from attendance on the Senate—

Mr Haynes moved.

To amend by adding to the motion the words "for to-day"

Mr De France rose to speak to the motion.

Hon Butters raised the Point of Order that Hon Dr. France was not talking to the question but to a Point of Order, which had been decided by the Senate.

Point of Order was withdrawn

Hon Hamill rose to a Point of Order — That Hon Dr France was not confining himself to the question before the Senate, but was talking to a Point of Order, which had been decided. —

Hon Dr France raised the Point of Order, — That the question of putting the motion or question, had not been decided by the Senate. —

The President pro-tem decided Point of Order not well taken. —

Hon Dr France called Hon Hamill to order stating that he (Hon Hamill) was not talking to the question. —

The President pro-tem decided Point of Order to be well taken. —

Mr Hamill called for the previous question on the amendment proposed by the Senator from the 1st District, Mr Seargeant.

Mr Hamill accepted the amendment, & the main question was then ordered.

Mr Ellsworth called for a division of the question.

The question being on excusing Mr Thayer,

The Ayes and Noes were called with the following result

Ayes. Messrs Bulteen, Chaucer, Gardner, Gassaway, Hall, Hamill, Hamilton, Hayes, Maxwell, Weldman, Moynahan, Randall, Saunders and Webster 14.

Noes. Messrs Banks, Bates, Brewer, Clelland, De Francs, Ellsworth, Hill, Johnson, & Taylor 9.

Absent & Not Voting

Messrs Hutchinson, Meyer & Rockwell 3.

So Mr Meyers was excused from attendance on the Senate for to-day.

The question being on excusing Mr Rockwell.

The Ayes and Noes were called with the following result

Ayes.- Messrs Butters, Bleaden, Ellsworth, Gardner, Garrison, Hall, Harrell, Hamilton, Haynes, Mansell, Meldrum, Montgomery, Randall, Saunders and Webster — 15.-

Noes.- Messrs Banks, Bates, Bennett, Lelland Dr France, Hill, Johnson and Taylor — 8.-

Absent and Not Voting

Messrs Hanson, Meyer and Rockwell - 3.-

So Mr Rockwell was excused from attendance on the Senate for to-day.

Mr Butters moved.

The Previous question on the motion of Mr De France.

Mr De France raised the Point of Order.-

That this Previous question on the resolution is not in order until proceedings under the call have been dispensed with, which cannot be done except by a two-thirds vote of the Senate.

The President pro-tem decided, that the Point of order was not well taken, that the Senate was a full body after absentees had been excused.

Mr Brent appealed from the decision of the President pro-tem

The question being.
Shall the decision of the Chair stand as the decision of the Senate.
The Ayes and Nays were called with the following result

Ayes-Messrs Burton, Deacon, Gardner, Jameson, Hall, Hamil, Hamilton; Hayes, Marcell, Melchers, Moyneham, Randall, Saunders, and Webster ——— 14.

Nays-Messrs Barela, Bates, Brent, Lelelland, De Franc, Ellsworth.

Hall, Johnson and Taylor — 9.

About and Not Voting

Messrs Hewes, Weyer and Rockwell — 3.

So the decision was declared

The question being shall the main question be now put.

Mr de France moved to lay the motion and the pending question on the Table.

Mr Hamill rose to a Point of order that the motion was not in order, as it had been decided that it was in order to put the main question.

The Sergeant-at-Arms was directed to open the door of the Senate.

The President pro-tem decided that the point of order made by Mr Hamill was well taken.

Mr Bennett moved.

To lay the Resolution on the Table.—

The President pro-tem decided the resolution out of order.—

Mr Bennett moved.

To adjourn

Ayes and Noes called with the following result.

Ayes.—Messrs Banta, Baker, Bennett, Lelelland, De France, Ellsworth, Gaussoin, Hill and Johnson — 9.—

Noes.—Messrs. Butters, Beacom, Gardner, Hall, Hamill, Hamillett, Haynes, Macneil, Mebelmen, Morgenaan, Randall, Saunders, Taylor and Webster — 14.—

About and Roll Voting

Messrs Stevens, Meyer and Rockwell — 3.—

So the motion was Lost.

Mr De France moved.

To lay the motion on the Table

The President pro-tem declared the motion not in order.

The question being, Shall the main question be now put, The Ayes and Noes were called with the following result.

Ayes.-Messrs Butters, Bleacon, Gardner, Hall, Harriel, Hamilton, Hayner, ~~Johnson~~, Marcrell, Merchum, Meyneken, Randall, Saunders and Webster ——— 13.

Noes.-Messrs, Barela, Bates, Bennett, Clelland, De France, Ellsworth, Gaussoin, Hill, Johnson, and Taylor- 10.

Absent and Not Voting

Messrs Hansen, Meyer and Rockwell ——— 3.

So the main question was ordered.- and -

The question recurring on the motion of Mr De France to adopt the resolution

---

Mr Bennett called for the reading

of the resolution
Objected to.

The President pro-tem sustained the objection

Mr Brent asked to be excused from voting

Mr Ellsworth objected

The President pro-tem put the question on excusing Mr Brent

The Senate refused to excuse him from voting

Ayes and Noes were then called with the following result

Ayes - Messrs Bayard, Bates, Brent, Blackburn, De France, Ellsworth, Hill, Johnson, & Taylor — 9 -

Noes - Messrs Butler, Johnson, Gardner, Garrison, Hale, Hamlin, Hamilton, Hayne, Morrill, Mitchell, Norquist, Randall, Saunders & Webster — 14 -

Absent & Not Voting

Messrs Hansom, Meyer, and

So the Senate refused to adopt S.R. No 12.

Mr Ellsworth moved.
To adjourn until 4 P.M.

Mr Brunet moved.
To adjourn
Carried

So at 2.20 P.M. the Senate adjourned.

Evening Session

Senate met at 7.15 P.M.

Mr Ellsworth moved.
To grant the Sergeant-at-Arms leave of absence until Tuesday next
Carried

Mr Ellsworth moved.

To grant Mr Johnson leave of absence for this Evening Session

Leave so granted

Reading of Bills resumed. 2nd

H. B. No 87 read 2nd time to and including

Section 345

Mr Hall moved

To adjourn

Carried.

So at 8.50 P. M. the Senate adjourned.

Journal of the Senate

February 9th 1877

Approved

General Assembly of Colorado

Senate
First Session
Friday, February 9th 1877

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call.

Absent.- Messrs Hamilton, Crowell, Bates, Gardner, Meyer, Rockwell, and Taylor

Journal pressed.

Mr Hamilton presented a communication from Mr Rockwell stating that he was necessarily absent from the Senate

Mr Hamilton moved, To grant Mr Rockwell leave of absence for one week. Carried.

Mr Butters moved.

To grant Mr Gardner leave of absence for 10 days session

Carried.

Journal of yesterday read.

Mr Maxwell moved.

To approve the Journal as read.

Carried

Message from the House.

State of Colorado

Chamber of the House of Representatives.

Denver, Feby. 8th 1877.

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House, has passed H. B. No. 176 a bill to repeal an act providing for the fencing of lands where grass is cut and put in Stacks in Las Animas County which is herewith transmitted

Respectfully

W. B. Felker

Chief Clerk of the House.

The Bulletin unanimous consent being given, was:

To take up H. B. No. 206 entitled "A Bill "for an Act to appropriate money to pay "for the Capitol and Return of Fugitives from "Justice" and

To reconsider the vote whereby the same was passed.

Carried.

The Bulletin was read

To refer H. B. No. 206 to Committee on Finance, Ways and Means.

Carried.

— Reports from Standing Committees.—

Committee on Printing by its Chairman, the Polsum reported

"The Report of Committee on Immigra-"tion" back to the Senate correctly printed-

Committee on Enrollment by its Chairman, the Polsum reported.

S. B. No. 29 entitled "A Bill for an Act to "designate the Holidays to be observed in "the Acceptance and Payment of Bills of Ex-"change and Promissory Notes. In the holding

"of bonds, and relation to the Continuance
"of suits"

S. B. No. 38, entitled "A Bill for an act to
"provide for the exercise of the Right of
"Eminent Domain"

S. B. No. 62, entitled "A Bill for an act to
"provide a Seal for the Supreme Court of
"Colorado"

S. B. No. 119, entitled "A Bill for an act to
"provide for the payment of the balance
"due A. R. Dyer and L. Dominguez for trans-
"lating the Constitution of Colorado, into
"the Spanish Language" and

S. 211. and H. R. No. 12. "To the Congress of the
"United States praying for the Establish-
"ment of a Military Post between Fort
"Lyon and Union and near the line between
"Colorado and New Mexico" both to the Sen-
ate correctly enrolled

Committee on State Institutions and Public Buildings by Mr Hayes re-ported.

S. B. No. 58 entitled "A Bill for an act to
"repeal the existing laws relating to the
"Deaf mute Institute of the State of Col-
"orado, and enact other provisions in
"lieu thereof; and to establish an In-

"Relative to the Education of the Blind
"in connection therewith" back to the
Senate with Statement of Title of Property
on which said Institute is located and
the recommendation that the bill be
read 3d time and passed.

Resolutions

Mr Bennett introduced
S. J. R. No. 14 "Relative to Sections 16 and
"36 of the Public Lands"

Unanimous consent being given.
Committed to Finance, Ways and
Means by its Chairman, Mr Butters.
reported.
H. B. No. 206 back to the Senate, with
an Emergency Clause, and the recommendation that the same be engrossed.

Mr Butters moved
To adopt report and
To agree to amendment
Carried.

Reading of Bills

H. B. No. 176 entitled "A Bill for an act "to repeal an act providing for the "fencing of Lands where grass is cut "and put in Stacks in Los Angeles County" Read 1st time

H. B. No. 204 entitled "A Bill for an act "to provide for paying the expense of lo- "cating the Public Lands" Read 1st time

H. B. No. 94. entitled "A Bill for an act "exempting Firemen and Drivers and Engi- "neers, and from Paying a Poll Tax, in the State of Colo- "rado, and to repeal certain acts relating "thereto" Read 1st time.

H. B. No. 151., entitled "A Bill for an act "relating to the Supreme Court Libra- "ry" Read 1st time.

H. B. No. 222. entitled "A Bill for an "Act relating to the assessment of the "value of the improvements in actions "brought to recover real property or the "possession thereof"

Read 1st time.

H. B. No. 250. entitled "A Bill for an act "to encourage the destruction of trap- "lines, and to raise a Special Fund "therefor in the State of Colorado" Read 1st time.

Mr Mansell moved. That members of both Houses be excused from attendance upon the Senate & Committees be & they are hereby excused from attendance upon the Senate during the sessions of the Senate this day.

Committee report. Committee on Engrossment by its Chairman, Mr Mansell, reported. H. B. No. 206. back to the Senate, with amendment correctly engrossed.

H. B. No. 87 entitled "A Bill for an act "providing a system of Procedure in "Civil Actions in the Courts of Justice "of the State of Colorado" read 2nd time from Section 3 to 5

Mr Bulkeley moved.

to refer to a Special Committee of Three.

Hon Dr France moved.
To amend by refering to Committee on Judiciary

Hon Hamill moved.
To add to the Standing Committee on Judiciary the following named Senators viz: Messrs Mansell, Grossman, Ellsworth, and Hall

Hon Dr France accepted the amendment proposed by Hon Hamill.

The question being, on motion to refer H.B No. 87 to Committee on Judiciary

Hon Hill moved.
To adjourn
Ayes and Noes called with following result.
Ayes-Messrs Baker, Breach, Butters, Beacon, Lebelland, Dr France, Ellsworth, Grossman, Hall, Hamilton, Hayes, Hill, Johnson, Weldman, Saunders and Taylor 16

Noes-Messrs Hamill, Mansell, Moynahan,

Randall and Webster — 5.

Absent and Not Voting

Messrs Banks, Gardner, Hewes,
Meyer and Rockwell — 5.

So the motion was carried and
the Senate at 12 O'clock and 15 minutes ad-
journed.

Afternoon Session.

Senate met at 2 P. M.

Mr Randall moved
To suspend the rules and
Put on 3d reading and final passage —
S. B. No. 58.
Carried.

S. B. No. 58 read 3d time.

Message from the House

State of Colorado.

Chamber of the House of Representatives.

Denver. Feby. 9th 1877.

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed S. [illegible] R No. 13, House Bills No. 48. 55, 63, 225 and 267. and has amended and passed S. B. No. 125 All of which are herewith transmitted

Respectfully

N. B. Fellows

Chief Clerk of the House.

Mr Bennett moved.

To re-commit S. B. No. 58 to the Committee on State Institutions and Public Buildings with instructions to attach a clause, substantially as follows,

"Provided that this act shall not have
"full force and effect until the legal
"title to the property be transfered
"by proper conveyance, together with
"the control thereof, to the Board of
"Trustees herein provided for, and Provi-
"ded, that the Attorney General shall
"Certify to the validity of the title.

"to the rally and to the pack of the "trimmer of the personality" pertaining "to said Lieutenant"

Mr Haynes moved To amend by referring S.B. No. 58 to Committee on Judiciary

Amendment accepted and

Ayes and Noes called with following result.

Ayes.-Messrs Bennett, Butler, Duncan, Ellsworth, Ganaway, Hall, Hamilton Haynes, Johnson, Meldrum, Montgomery, and Saunders ——— 12-

Noes.-Messrs Lelelland, Dr France, Hamilton, Hill, Maxwell, Randall, Taylor & Webster ——— 8-

Absent & Not Voting

Messrs Banks, Bates, Gardner Henson, Meyer & Rockwell —— 6-

So S.B. No. 58 was re-committed to Committee on Judiciary.

The question recurring on motion of Mr De Franco to refer H. B. No. 87 to Committee on Judiciary it was ——

Lost. ——

H. B. No. 87, referred to Committee of the Whole. ——

H. B. No. 206 read 3d time and ——

Passed by following vote. ——

Ayes.- Messrs Bennett, Bullers, Coleman, Clelland, De France, Ellsworth, Gaussoin, Hall, Harrill, Hamilton, Haynes, Hill, Johnson, Maxwell, Meldrum, Moyneahan, Randall, Saunders, and Worbles —— 19-

Noes. —— None.

Absent and Not Voting ——

Messrs Barla, Bates, Gardner, Hewson, Meyer, Rockwell and Taylor —— 7

Title agreed to. ——

S. B. No. 118 entitled "A Bill for an "Act to insure the Public Health" ——

Read 3d time and
Passed by following vote

Ayes.- Messrs Bennet, Bullers, Beacon, Belelland, de France, Ellsworth, Goussios, Hall, Hamilt, Hamilton, Hayner, Hill, Holcomb, Maxwell, Weldman, Woodworth, Randall, Saunders and Webster ——— 19

Noes, ——— None.

Absent and Not Voting ———
Messrs Banks, Bates, Gardner, Hascall, Meyer, Rockwell and Taylor ——— 7

Title agreed to.

S. B. No. 28, entitled "A Bill for an act "regulating Elections, and repealing "all Incidental Acts upon the Subject"—
Taken up

Mr Woodworth moved
To re-commit to Committee of the whole
Carried

Message from the Governor.

State of Colorado,
Executive Department.
Denver, Feby. 7th 1899

Hon. Lafayette Hoag.
President of Senate

Sir

I have the honor to inform you, that I have this day signed Senate Bill No. 6 entitled "An Act to facilitate the recovery of Cattle by "theft or trespass. To regulate the "sale and disposal of the same, and "for the better protection of Mine Owners" and have filed the same with the Secretary of State.

Very Respectfully
John L. Routt
Governor

S. B. No. 125 entitled "A Bill for an "Act to regulate the conditions of "Appeal Bonds and Supersedeas Bonds. "when the Judgment or Decree com- "plained of is for the recovery of Land "or the possession thereof" and the amendments proposed by the House.

Jan 15th 1861.

Mr Butler moved,
To refer to Committee on Judiciary.
Carried.

S.B. No. 135 entitled "A Bill for an
"Act for the Relief of Lee County"
Jan 15th 1861.

Mr Banks moved,
To refer to a Special Committee of
Three,
Carried.

The President appointed as such
Committee,
Messrs. Banks, De France and Saunders.

Unanimous consent being given
Committee on Public Lands, by its
Chairman, Mr Randall, reported,
S.B. No. 43, entitled "A Bill for an act
"to provide for the Selection, Location,
"Appraisal, Sale and Leasing of State
"Lands" back to the Senate with the
recommendation that the bill be re-

ferred to Committee on Printing, with
orders to print.

Mr Butlers moved

To adopt report,

Carried.

Message from the Governor

State of Colorado,
Executive Department
Denver, Feby. 9 - 1877.

Hon Lafayette Head
President of Senate.

Sir

I am informed by the Commissioner of the United States Land Office that" the fees which the Register "and Receiver will be entitled to re- "ceive for their services in making "Selections are $1.00 each, for each final "location of 160 acres, the same to "be paid by the State" It will therefore be necessary for your Honorable Body to provide for meeting this expense. The number of sections will be about 1025 exclusive of the School Sections

vig. Nos. 16 and 36 in each Township.

Very Respectfully,

John L. Routt

Governor.

Mr Saunders moved.

To refer to Committee on Finance, Ways and Means.

Carried.

Mr Butters moved

That the Senate now resolve itself into the Committee of the Whole on the subject matter of Section 131. of S. B. No. 28.

Carried.

So the Senate went into Committee of the Whole with

Mr Butters in the Chair.

The Committee of the Whole rose,

The Senate resumed its session and

The following report was read.

Mr President.

The Committee of the Whole House have had under consideration Section 131 of S. B. No. 28, and recommend that it be stricken out

Alfred Butters

Chairman

Mr Ellsworth moved

To adopt the report

Ayes and Noes called with following result

Ayes.—Messrs. Branch, Butters, Ellsworth, Hall, Hamill, Haynes, Johnson, Mansell, Meldrum, Moyer, Oakes, Randall, and Saunders — 12.

Noes.—Messrs. Barker, Bloom, Clelland, Dr Frazer, Gauvreau, Hamilton, Hill, and Webster — 8.

Absent and Not Voting

Messrs Bates, Gardner, Hansen, Meyer, Rockwell and Taylor — 6.

So the motion was carried.

Unanimous consent being given.

Mr Webster moved.

To take up report of Committee on Elections on S. B. No. 28 made on yesterday

Carried

Mr Webster moved.

To agree to amendments proposed and reported by Committee on Elections to S. B. No. 28

Carried.

Mr Randall moved.

To adjourn until 7.30 P.M.

Mr Ellsworth moved

To adjourn

Division called for, with following result,—

Ayes. - 11

Noes. - 8

So the Senate at 5.30 P.M. adjourned.

Evening Session

Senate met at 7.15 P.M.

Mr Hamill moved

To grant Mr Dr France leave of absence

for this evening's session,

Carried.

Unanimous Consent being given

Mr Ellsworth moved.

To suspend the rules [illegible]

Take up bills on 1st reading
Council ...

H. B. No. 53 entitled "A Bill for an act
"relating to the Jurisdiction of Justices
"of the Peace, and the Practice in Justices
"Courts"
Read 1st time.

H. B. No. 63, entitled "A Bill for an Act
"to repeal Section Seven 171 of Chapter
"Thirty-five (35) of the Revised Statutes,
"of the Territory of Colorado and enact
"other provisions in lieu thereof"
Read 1st time.

H. B. No. 267, entitled "A Bill for an
"Act to reimburse the County of Arapahoe"
Read 1st time

H. B. No. 225 entitled "A Bill for an Act
"to amend the existing laws of Forcible
"Entry and Detainer in respect to service,
"notice, demand and Process"
Read 1st time

H. B. No. 158 entitled "A Bill for an act
"to provide for regulating Prosecutions in

Cases of Barber.

Read 1st time

Unanimous consent being given.

Mr Ellsworth moved

To suspend the rules and

To take up all bills on 3d reading

Carried — Ayes

S. B. No 28 read 3d time

Unanimous consent being given.

Mr Roberts moved

To strike out Section 126

Mr Ellsworth moved

To adjourn

Carried

So at 9.50 P. M. the Senate adjourned.

Journal of the Senate

February 10th 1847

Affirmed -

General Assembly of Colorado.

Senate
First Session
Saturday. February 10th 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call.

Absent - Messrs Hansen, Mr. Rockwell excused Banks, Bates, De France, Gardner, Haynes, Hill, Meyer, Saunders, Taylor and Webster.

Journal read.

Mr Hamill moved to grant Mr Haynes leave of absence for to-days session. Carried.

Mr Butler moved to grant the Chaplain leave of absence until Monday next. Carried.

Mr Butler moved.

To grant Hon Saunders leave of absence until Monday next. Carried.

Journal of yesterday read and approved

Messrs Hill, Saunders and Taylor appeared and took their seats

Reports from Standing Committees.

Joint Committee on Enrollment by its Chairman Hon Hamilton reported S. B. No. 38 entitled "A Bill for an act "to provide for the Exercise of the Right "of Eminent Domain"

S. B. No. 62 entitled "A Bill for an act "to provide a Seal for the Supreme Court "of Colorado"

S. B. No. 29, entitled "A Bill for an act to "designate the Holidays to be observed "in the Acceptance and Payment of Bills "of Exchange and Promissory Notes, for the "Holding of Courts, and relative to the "Continuance of suits"

S. B. No. 119, entitled "A Bill for an act "to provide for the payment of the balance "due A. R. Dyer and C. Dominguez for

"translating the Constitution of Colorado.
"into the Spanish Language" and ———
S. M. and J. R. No. 12 "To the Congress of the
"United States, praying for the establish-
"ment of a Military Post between Forts
"Lyon and Union, and near the line be-
"tween Colorado and New Mexico" back to
the Senate correctly enrolled, and sign-
ed by the Speaker of the House. ———

Committee on Mines and Mining by its
Chairman Mr Hamill, reported ———
S. R. No. 4 "Relative to disposition of Sec-
"tions 16 and 36 of the Public Lands, when
"located on Mineral Lands" back to the
Senate with the recommendation to in-
definitely postpone. ———

Committee on Engrossment by its
Chairman, Mr Maxwell reported, ———
S. B. No. 49 entitled "A Bill for an act
"to provide for the construction of Buildings
"used for Public Assemblages" back to the
Senate correctly engrossed. ———

Messrs Baker and Webster appeared and
took their seats ———

Reading of Bills

S. B. No. 14, "Relating to Sections 16 and 36 "of the Public Lands"

Read 2nd time and

Referred to Committee of the Whole

H. B. No. 63 entitled "A Bill for an act "to repeal Section Seven (7) of Chapter Thirty-"five (35) of the Revised Statutes of the Ter-"ritory of Colorado, and enact other pro-"visions in lieu thereof"

Read 2nd time and

Mr Ellsworth moved

To refer to Committee on Judiciary

Carried.

H. B. No. 55 entitled "A Bill for an act "relating to the Jurisdiction of Justices of "the Peace and the Practice in Justice's Courts"

Read 2nd time and

Mr Ellsworth moved.

To refer to Committee on Judiciary

Carried

H. B. No. 48, entitled "A Bill for an act "to provide for Regulating Prosecutions in "Cases of Bastardy"

Read 2nd time and

Refused to Committee of the Whole.

H. B. No. 267. entitled "A Bill for an "Act to re-imburse the County of Arapa- "hoe"

Read 2nd time and

Mr Weldman moved

To refer to Committee on Finance, Ways and Means.

Carried.

H. B. No. 204. entitled "A Bill for an act "to provide for Paying the Expense of Lo- "cating the Public Lands"

Read 2nd time and

Refused to Committee of the Whole

H. B. No. 225 entitled "A Bill for an act "to amend the existing laws of Forcible "Entry and Detainer in respect to Service. "Notice, Demand, and Process"

Read 2nd time and

Mr Ellsworth moved

To refer to Committee on Judiciary

Carried.

H. B. No. 176. entitled "A Bill for an act "to repeal an act providing for the Fen-

"ciug of Lands, where grass is cut, and
"just in stacks in Las Animas County" —
Read 2nd time and
Mr Butters moved.
"To refer to Committee on Agriculture
and Manufactures
Carried.

H. B. No. 94. entitled "A Bill for an Act
"to amend Sections as herein, and from
"Paying a Poll Tax in the State of Colo-
"rado, and to repeal certain acts relating
"thereto"
Read 2nd time and
Referred to Committee of the Whole.

H. B. No. 151 entitled "A bill for an Act
"relating to the Supreme Court Library"
Read 2nd time and
Referred to Committee of the Whole.

H. B. No. 222 entitled "A bill for an act
"relating to the assessment of the values
"of the improvements in actions brought
"to recover Real Property or the possession
"thereof"
Read 2nd time and
Mr Ellsworth moved

To refer to Committee on Judiciary — Carried

Mr Bennett moved

To appoint Mr Weldon as a member of Committee of Conference on H. B. No. 8 in place of Mr Haynes, absent.

Carried.

H. B. No. 250 entitled "A Bill for an act "to encourage the Destruction of Grasshoppers, and to raise a Special Fund, "therefor in the State of Colorado." —

Read 2nd time and

Mr Butler moved,

To refer to Committee on Agriculture and Manufactures

Carried

Mr De France appeared and took his Seat.

Unanimous Consent being given — Committee on Incorporations by its Chairman, Mr Ellsworth, reported — S. B. No. 73, entitled "A Bill for an act "to prevent the Firing of Woods and

"Prayer" by M. to the Senate with
amendments.

Mr. Ellsworth moved to agree to amendments and to consider bill as amended. Engrossed. Carried.

S. B. No. 49 read 3d time and Passed by following vote:

Ayes - Messrs Bates, Bennet, Bleacon, Litchfield, Ellsworth, Fauscier, Hall, Hamill, Hamilton, Johnson, Maxwell, Meldrum, Moyer, Pearson, Randall, Saunders, Taylor, and Webster - 17.

None - None.

Absent and Not Voting - Messrs Banks, Butters, De France, Gardner, Harper, Hewes, Hill, Meyer and Rockwell - 9.

Bill agreed to.

S. B. No. 73. read 3d time and Passed by following vote.

Ayes.—Messrs Baker, Bennett, Coleman, Clelland, De France, Ellsworth, Gassaway, Hall, Hamill, Hamilton, Hill, Johnson, Maxwell, Meldrum, Moyerhoff, Randall, Taylor and Webster ——— 18.

Noes. ——— None

Absent and Not Voting ———

Messrs Banks, Butler, Gardner, Haynes, Howell, Meyer, Rockwell and Saunders ——— 8.

Title agreed to.

The Title was read as

The President announced the Signing of S. B. No. 119. — S. B. No. 29. — S. B. No. 38, — S. B. No 62 and S. M. and J. R. No. 12.

Mr Saunders moved.

To refer Report of Committee on Mines and Mining on S. R. No. 4, to Committee of the Whole

Carried.

Unanimous Consent being given

Mr. Webster moved

To take up and consider Sections 126 and 131 of S. B. No. 28. entitled "A Bill for "an act regulating Elections, and repeal- "ing all Territorial Acts upon the subject" passed.

Mr. Webster moved.

To postpone further consideration of S. B. No. 28 until Monday next.

Carried.

Mr. Bennett moved.

That the Senate now resolve itself in- to the Committee of the Whole on Ter- ritorial Files.

Carried.

So the Senate went into Committee of the Whole with

Mr. Hill in the Chair

The Committee of the Whole rose.

The Senate resumed its session and

The following report was read.

Mr. President.

The Committee of the Whole have had under con-

Considerations the General Bill: and
Recommend that Senate Bills No. 170 and 171
relative to expenses in Contested Election Cases.
Returns Joseph T. Boyd and A. H. De France do
lie upon the Table
That H. B. No. 204 be refused to Committee
on Finance, Ways and Means.
That H. B. No. 225 do pass.
Have amended H. B. No. 94 and recommend
that it do pass as amended.
J. M. Hill
Chairman

Was declared carried
To agree to report
Carried

Was Roll call moved,
To adjourn until 10 a.m. on Monday.

Was Ellsworth moved,
To adjourn
Carried

So at 12 O'clock and 15 minutes the Sen-
ate adjourned.

Afternoon Session.

Senate met at 2 P. M.

Unanimous consent being given Joint Committee on Enrollment by its Chairman Mr Hamilton, reported Senate Bills No. 38, 62, 29, and 119, and S. M. and R. R. No 12, presented to His Excellency, the Governor, for his approval, at 12 5 O'clock P. M. February 10th. 1877

Mr Randall moved To grant Mr Moynahan leave of absence for one hour, Carried.

Mr Butters moved, That the Senate now resolve itself into the Committee of the Whole, on General Fil Carried,

So the Senate went into Committee of the Whole with Mr Butters in the Chair.

The Committee of the whole rose. —
The Senate resumed its session. —
The following report was read. —
Mr President! —

— The Committee of the whole House have had under consideration the General File. —
Have made sundry amendments to H. B. No. 48 and H. B. No. 15 and recommend that the amendments be agreed to. and bills passed as amended. —
Alfred Buttles —
Chairman. —

Mr Buttles moved! —
To agree to report —
Carried! —

Mr Buttles moved. —
To take a recess subject to call of the President —
Carried! —

So at 3.20 P.M. the Senate took a recess

The President at 3.45 P.M. called the Senate to order. —

Mr Hamill moved

To adjourn until Monday at 9 am.

Carried

So at 4 P.M. the Senate adjourned.

Journal of the Senate

February 13th 18[illegible]

Approved.

General Assembly of Colorado

Senate

Tenth Session

Monday, February 12th 1872

Senate met pursuant to adjournment

Lieut Gov Routt presiding.

Roll call

Absent.—Messrs Rockwell excused, Barela, Baker, De Francq, Gaudeur, Hamilton, Maxwell, Meyer & Moyer, —

Journal of Saturday, Feby. 10th read and approved.

Messrs Gaudeur, Hamilton and Moyer appeared and took their seats.

Mr Saunders moved To grant Mr Maxwell leave of absence for to-days session.

Leave Read

Reports from Standing Committees

Committee on Finance, Ways and Means by its Chairman, Mr Butler, reported H. B. No. 36, entitled "A Bill for an "Act to establish and provide means "for the support of a Department to "regulate Insurance Companies doing "business in the State of Colorado."-and-H. B. No. 204, entitled "A Bill for an "Act to provide for Paying the Expenses "of Locating the Public Lands" back to the Senate with many amendments to H. B. No. 204 with the recommendation that the bill do pass as amended and that H. B. No 36 be referred to Committee of the Whole.

Committee on Printing by its Chairman, Mr Johnson, reported S. B. No. 59, entitled "A Bill for an Act "concerning change of County Lines, "organization of New Counties, and locating "their County Seats, Adjustment of "matters of Liabilities and Revenue be-

"Liens Counties. Transfer of Records
"of Property and Causes in the Courts, Clerks
"and County Seats, and the repeal of
"all Laws inconsistent herewith" Was
Ordered to the Senate Correctly Enrolled.

Mr Bates appeared and took his Seat.

Mr Brown appeared

To insist on Amendments proposed to
H. B. No. 192, entitled "A Bill for an
"Act to provide for the disposition of
"Lots and Parcels of Land sold in bulk
"by the Corporate Authorities of any Town
"or by any Judge, under the provisions
"of any Act of Congress or of the Gen-
"eral Assembly of Colorado, or both, which
"are still undisposed of"
Carried

Reading of Bills

H. B. No. 225 entitled "A Bill for an
"Act to amend the existing Laws of
"Forcible Entry and Detainer in respect
"to Service, Notice, Demand and Process"
Read 3d time and
Passed by following vote
Ayes - Messrs Bates, Brunck, Butler,
Meacon, Ellsworth, Gardner,

Hall, Hamilton, Hayner, Hutson,
Hill, Johnson, Meldrum, Mey-
nadier, Randall, Saunders, Tay-
lor and Webster ——— 18 —

Dyer-Messrs Holland and Hamill —— 2 —

Abbott and Fort Collins ———

Messrs Bunta, De France, Gene-
vier, Maxwell, Meyer and Rock-
well ——— 6 —

Tilt agent Co. ———

—— Message from the Governor ——

State of Colorado
Executive Department
Denver, Feby, 10th 1877.

Hon Lafayette Head
President of Senate

Sir ———

——— I have the honor to inform
you, that I have this day signed Sen-
ate Bills No. 29, 62, 119 and S. M. & R. R.
No. 12 and have filed the same with
the Secretary of State ———

Very Respectfully ———

Parker L. Ferrell

Grand View

S. B. No. 28, Fourth Reading, "A Bill for an Act "regulating Elections, and repealing "all Territorial Acts upon the Subject." Passed as read.

Mr. Gunderson being on Striking out Section 126 it was Lost. Yeas and Nays.

S. B. No. 28 passed by following vote.—

Ayes—Messrs Bales, Branch, Butters, Ellsworth, Gardner, Hall, Hawkill, Haynes, Johnson, McClaran, Moynahan, Randall, Saunders and Worbles — 14.

Noes—Messrs. Bracken, Clelland, Gamewell, Hamilton, Hinson, Hill, and Taylor — 7.

Absent and Not Voting

Messrs Banks, De France, Mansell, Meyer and Rockwell — 5.

Title agreed to

Mr Butler moved. ——
To agree to amendments proposed by
Committee on Finance, Ways & Means
to H. B. No 206; ——
Carried. ——

Mr Butler moved ——
To order Amendments engrossed & ——
To place bill as amended on file for
3d reading ——
Carried. ——

Messrs Barela & De Baca appeared
and took their seats ——

Unanimous consent being given. ——
Joint Committee on Enrollment, by
its Chairman, Mr Hamilton, reported
H. B. No 206 correctly enrolled, and
signed by the Speaker of the House-

Mr Tittle was read & ——
The President announced the Signing of
H. B. No 206 entitled "A Bill for an
"Act for the Capture and Return of
"Fugitives from Justice" ——

Unanimous consent being given. ——

Committee on Enrollment by its Chairman, Mr Johnson, reported S. B. No. 127 entitled "An Act for an act "to repeal Section 223 of Chapter 22, "of the Revised Statutes, and to enact "other provisions in lieu thereof" and S. No. and R. Rs. "Asking Congress to aid "in the distribution of Grasshoppers" back to the Senate correctly enrolled

Mr Howell moved that the Senate now resolve itself into the Committee of the Whole on General Files and carried.

So the Senate went into Committee of the Whole, with Mr Butters in the Chair

The Committee of the Whole rose and The Senate resumed its Session and The following report was read

Mr President

The Committee of the Whole House has had under consideration the General Files and Recommend that S No and R. Rs. 14 and S R. be

"Relative to" Sections 16 and 36 of the Pub-
"lic Lands" be referred to Committee
on Public Lands.

Mr Campbell moved Rouse proceed with
S.B. No. 52 entitled "A Bill for an act
"to establish a Board of Immigration"
and ask Leave to sit again

Alfred Butters

Adjourned

Mr Lelleland moved

To adopt report and

To grant request

Adjourned

Mr Hayes moved

To adjourn

Carried

Do at 12 O'clock and 10 minutes the
Senate adjourned

Afternoon Session.

Senate met at 2 P. M.

Message from the Governor.

State of Colorado.
Executive Department.
Denver, Feby. 12 1877.

Hon Lafayette Head
President of the Senate

Sir

I have the honor to inform you, that I have this day signed Senate Bill No 38, entitled "An act to provide for the exercise of the right of "Eminent Domain" and have filed the same with the Secretary of State.

Very Respectfully
Johns L. Routt
Governor

Unanimous consent being given
Committee on Engrossment by Mr Saunders reported
H. B. No 20 back to the Senate, with amendments correctly engrossed.

Mr. Saunders moved,

To adopt the report

Report.

Mr Saunders moved,

That the Senate now resolve itself into the Committee of the Whole, on Journal File

Report

So the Senate went into Committee of the Whole, with Mr Butler in the Chair

The Committee of the Whole rose and The Senate resumed its session for the purpose of receiving the following

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 12 - 1877.

To the Honorable,

The Senate of the State of Colorado —

I am instructed to inform your Honorable Body that the House has passed H. B. No. 241 to create the County-

of Humboldt

The concurrence of the Senate is requested

Respectfully

W. B. Felker

Chief Clerk of the House

The Senate again waits into Committee of the Whole with

Mr Buttles in the Chair.

The Committee of the Whole rose,

The Senate resumed its session and

The following report was read:

Mr President:

The Committee of the Whole House has had under consideration the Ground Fish

Have made sundry amendments to S. B. No. 52 and recommend that it be recommitted to Committee on Immigration.

Have made some progress with H. B. No. 87, entitled "A Bill for an "Act providing a system of Procedure in Civil Actions in the Courts "of Justice of the State of Colorado." and ask leave to sit again.

Alfred Butters
Colorado

Mr. Speaker moved

To refer and

To print request

Carried.

Committee of Conference on H. B. No. 8, entitled "A Bill for an act to "provide for the payment of Salaries "to Officers of the Executive and Judicial "Departments of the State of Colorado" submitted a report

Mr. Hamill moved

To lay report on Table to be taken up with H. B. No. 8,

Carried.

Unanimous consent being given,

Joint Committee on Enrollment

by its Chairman, Mr. Hamilton reported S. No. and H. B. No. 13 and S. B. No. 127 correctly enrolled and signed by the Speaker of the House.

The title was read and

The President announced the signing of S. Bill and J. R. No. 13. and S. B. No. 135 entitled "A Bill for an act to repeal Section 223 of Chapter 22 of the Revised Statutes, and to enact other provisions in lieu thereof."

Mr Barla asked unanimous consent to present a report from Special Committee on S. B. No. 135 entitled "A Bill for an act for the relief of Lincoln County" Consent granted and Report received.

Mr Brunk moved that when the Senate adjourn, it adjourn until 9 A.M. to-morrow.

Mr Hamill moved. To adjourn. Ayes and Noes called with following result.

Ayes - Messrs Butters, Lincoln, Gardner, Hamill, Haynes, Johnson and Nobles — 7.

Noes - Messrs Barla, Brunk, Clelland, De France, Ellsworth, Fannin, Hall.

Hamilton, Henson, Hill, Weldman, Weymouth, Randall, Saunders and Taylor — 15,

Absent and Not Voting — Messrs Bates, Maxwell, Meyer and Rockwell — 4,

So the motion was lost

Mr Hamill moved To adjourn until 7 P.M. Ayes and Noes called with following result:

Ayes - Messrs. Blacow, Dr Franco, Hamilton, Haines, Johnson and Weldman — 6 -

Noes. - Messrs Banks, Benoit, Butler, Clelland, Ellsworth, Gardner, Gaussoin, Hall, Hamilton, Henson, Hill, Weymouth, Randall, Saunders, Taylor, and Webster — 16,-

Absent and Not Voting — Messrs Bates, Maxwell, Meyer and Rockwell — 4

So the motion was Lost

Die question coming on motion of
Mr Brent it was
carried.

Mr Hamill moved.
To adjourn
Lecarried

Court 5-15 P.M. the Senate adjourned.

Journal of the Senate

February 13th 1877

Afternoon

General Assembly of Colorado.

Senate
First Session
Tuesday. February 13th 1877.

Senate met pursuant to adjournment.

Lieut Governor presiding

Roll Call

Absent.- Messrs Rockwell excused & Bates,
Meyer, Taylor and Webster

Quorum present.

Prayer by the Chaplain.

Mr Hamill moved.
To grant Mr Bates leave of absence for
to-days Session
Carried

Journal of yesterday read and approved.

Mr Ellsworth moved.
That the regular order of business be

Journal with [illegible]

Which the Senate now resolve itself into the Committee of the Whole on H. B. No. 87.

Carried

Messrs Nebeker and Taylor appeared and took their seats

So the Senate went into Committee of the Whole with Mr Buttery in the Chair

The Committee of the Whole rose, and The Senate resumed its Session for the purpose of receiving the following.

Message from the House.

State of Colorado.

Chamber of the House of Representatives

Denver, Feby. 10th 1877.

To the Honorable

The Senate of the State of Colorado—

I am instructed to inform

your Honorable Body that the House has concurred in the Senate amendments to H. B. No. 206, relative to fugitives

Respectfully
W. B. Fellows
Clerk pro tem of the House.

Mr Rockwell appeared and took his seat.

The Senate again went into Committee of the Whole with Mr Butters in the Chair.

The Committee of the Whole rose.—
The Senate resumed its Session.—And
The following report was read.
Mr President

The Committee of the Whole House have had under consideration H. B. No. 87, Have made further progress and ask leave to sit again

Alfred Butters
Chairman

Mr Hamilton moved

To receive report and

To grant request

Carried.

Unanimous Consent being given

Committee on Printing by its Chair-

man. Mr Robinson reported

S. B. No. 53 entitled "A Bill for an

"Act to authorize the District Courts

"to allow fees to Counsel assigned

"to Prisoners in Certain Cases" and

Report of the Board of Managers of

the Penitentiary back to the Senate

Correctly printed, except that, in

the latter,

On Page 5 in next to last column and

in 3d line of figures "69.5" Should be "69.113"

On Page 12, 2nd line from the bottom "5118.10"

Should be "5118.110"

On Page 16 in 1st column. "Appropriated for"

does not occur in the original and "Offi-

cers Salaries" Should be "Officers Services"

In 3rd column, the lower three lines "1.0353"

Should be "1.353" — "1.0081" Should be "1.081"

and ".0274" Should be ".274"

On Page 18, in next to last column, and

the 15th line of figures "333" Should be "323"

Unanimous consent being given ——
Joint Committee on Enrollment by
Mr. Coleman, Mr. Hamilton, reported
H.B. No. 206, S.B. No 127, and S. M and J. R No.
13 presented to His Excellency, the
Governor, for approval at 5 1/2 o'clock
P.M. February 12th 1897 ——

Mr. Hamilton moved. ——
To adjourn ——
Carried ——

So at 12 o'clock and 15 minutes the Sen-
ate adjourned. ——

Afternoon Session.

Senate met at 2 P. M.

Unanimous consent being given

Committee on Judiciary by Mr. Ben-

nett, reported

H. B. No. 63 entitled "A Bill for an act
"to repeal Section 7 of Chapter 35 of the
"Revised Statutes of the Territory of Col-
"orado, and enact other provisions in lieu
"thereof"

H. B. No. 58 entitled "A Bill for an act
"to repeal Section 16 of Chapter 53 of
"the Revised Statutes of Colorado" - and

H. B. No. 272 entitled "A Bill for an act
"to authorize Foreign Administrators and
"Executors to act in this State" back
to the Senate - recommending.

That H. B. No. 63 do pass

That H. B. No. 58 be indefinitely post-
poned - and

That H. B. No. 272 be laid on the Table.

Mr Bennett moved.

That the Senate now resolve itself
into Committee of the whole on
H. B. No. 81

Carried.

So the Senate went into Committee of the Whole with Mr Buttery in the Chair

The Committee of the Whole rose, and The Senate resumed its Session for the purpose of receiving the following

Message from the House.

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 13th 1877.

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House has passed House Bills Nos 44 & 251 and has adopted the Report of the 2nd Committee of Conference on H. B. No. 8.— H B's No. 8. 44 & 251 and has transmitted

Respectfully

W. B. Felker

Chief Clerk of Senate.

The Senate again went into Committee of the Whole with Mr Butters in the Chair.

The Committee of the Whole rose. and The Senate resumed its session for the purpose of receiving the following

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 15th 1877

To the Honorable

The Senate of the State of Colorado

S. B. No. 54 is herewith returned to your Honorable Body.

Respectfully

W. B. Felker

Chief Clerk of the House

The Senate again went into Committee of the Whole with

Mr Butler in the Chair

The Committee of the Whole rose.

The Senate resumed its session and

The following report was read.

Mr President

The Committee of the Whole House have had under consideration H. B. No. 87. Have made further progress and ask leave to sit again

Alfred Butler

Chairman

Mr Howell moved,

To receive the report and

To grant request.

Carried.

Mr Howell moved.

To take Report of Conference Committee on H. B. No. 8 from the Table and

To consider the same with

H. B. No. 8 entitled "A Bill for an act "to provide for the payment of Salaries "to Officers of the Executive and Judicial

"Departments of the State of Colorado" —
Carried.

Mr Saunders moved
To adopt the Report of Conference Committee.
Ayes and Noes called with following result

Ayes.—Messrs. Barela, Bennet, Butters, Blacon, Clelland, Ellsworth, Gardner, Gaussoin, Hamill, Haynes, Hewes, Johnson, Mansell, Meldrum, Moyniham, Randall, Rockwell, Saunders, and Weber — 19.

Noes.—Messrs. De France, Hamilton and Hill — 3.

Absent and Not Voting
Messrs Bates, Hall, Meyer and Taylor — 4.

So the Report was adopted

Mr Butters moved.
To adjourn
Carried.

S.o at 5-30 P.M. the Senate adjourned

Evening Session

Senate met at 7.15 P. M.

Mr Barela moved
To take up Report of Special Committee
on S. B. No. 135 entitled "A Bill for an act
"for the relief of Las Animas County"
Carried.

Mr Saunders moved.
To adopt report
Carried.

Mr Ellsworth moved
To suspend the rules and
To place S. B. No. 135 on its 3d Reading
and Final Passage
Carried.

S. B. No. 135 read 3d time and
Passed by following vote

Ayes.- Messrs Barela, Butters, Deacon,
Edelman, Ellsworth, Goudy, Gamm-
son, Hamill, Haynes, Hewson, Hill,
Johnson, Maxwell, Medbery, Mey-
nahan, Randall, Saunders, Taylor
and Webber 19

Ayes, ——— Noes ———

Absent and Not Voting ———

Messrs Bates, Brunck, De France, Hamilton, Meyer, Hall and Rockwell ——— 7.

Bill agreed to. ———

Mr Butters moved. ———
That the Senate now resolve itself into the Committee of the Whole on H. B. No 87. ———
Carried. ———

So the Senate went into Committee of the Whole with ———
Mr Butters in the Chair ———

The Committee of the Whole rose. ———
The Senate resumed its session. ———
The following report was read. ———
Mr President ———

——— The Committee of the Whole House has had under consideration H. B. No 87. ———
Have made further progress, and ask

Leave to sit again

Alfred Butters

Chairman.

Hon Bollard moved,

To receive the report

To grant request

Carried.

Hon Barker moved,

To adjourn

Carried

So at 9.05 P.M. the Senate adjourned.

Journal of the Senate

February 14th 1877

Assembled

General Assembly of Colorado.

Senate

First Session

Wednesday, February 14th 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding

Roll call

Absent - Messrs Bates, Bennet, De France, Meyer and Taylor.

Quorum present.

Prayer by the Chaplain

Mr Bates appeared and took his seat.

Journal of yesterday read and approved.

Reports from Standing Committees.

Committee on Agriculture and Manufactures by its Chairman, Mr Gardner reported

S. B. No. 30. entitled "A Bill for an act "for the Protection of Wild Game and Insectivorous Birds" back to the Senate, recommending.

That the Senate concur in 1st and 2nd and refuse to concur in amendments proposed by the House thereto. and

The adoption of an additional clause to Sect-

Messrs Bennett, De France and Taylor appeared and took their seats.

Committee on Printing by its Chairman, Mr Johnson, reported

S. B. No. 60 entitled "A Bill for an act "for the establishment and location of a "Hospital for the Insane of the State and "to provide rules for the regulation and "government of the same." and

S. B. No. 80 entitled "A Bill for an act "concerning Fruces and Enclosures in the "State of Colorado" back to the Senate Correctly printed except that in S. B. No. 60 In Sec. 28. Line 2: between "for" and "Erecting" insert "the purpose of" and in S. B. No. 80. In Sec. 9. Line 1. "es" should be "ab.

Committee on Engrossment by its Chair-

man. Mr Maxwell, reported
H. B. No 48 entitled "A Bill for an act to
"provide for regulating prosecutions in cases
"of Bastardy"

H. B. No. 94. entitled "A bill for an act en-
"empting firemen as herein, and from pay-
"ing a Poll Tax in the State of Colorado
"and to repeal certain acts relating there-
"to" and

H. B No. 151 entitled "A Bill for an act
"relating to the Supreme Court Library"
back to the Senate with amendments cor-
rectly engrossed.

Unanimous consent being given
Mr Ellsworth moved
† That the Senate now resolve itself into
the Committee of the Whole on H. B. No. 87.

Mr Hamill raised Point of Order
That the motion was not in order, unless
the rules were first suspended.

The President decided the Point of Order
well taken.

Mr Ellsworth then withdrew his motion.

Message from the House.

State of Colorado

Colacuber of the House of Representatives

Denver, Feby. 13th 1877

To the Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House has passed S. B. No. 19, and has amended and passed S. B. No. 44, both of which are herewith transmitted

Respectfully

N. B. Felker

Chief Clerk of House

Mr Butler moved

To refer S. B. No. 41 entitled "A Bill for an "Act to prescribe certain powers and duties "of the Officers of the Executive Department "and certain rules in relation to the Fiscal "affairs of the State" to Committee on Finance, Ways and Means.

Carried.

H. B. No 251 entitled "A Bill for an act "to submit to the Qualified Electors of the "State of Colorado' An amendment to Sec. 29

"of Art. 6 of the Constitution of the State
"of Colorado, concerning the Judicial de-
"partments" ——————————

Read 1st time ——————————

H. B. No. 241. entitled "A Bill for an act
"to create and establish the County of
"Humboldt" ——————————

Read 1st time. ——————————

H. B. No. 241 entitled "A Bill for an act
"to provide for the Assessment and Collec-
"tion of revenue, and to repeal certain
"acts in relation thereto" ——————————

Read 1st time. ——————————

H. B. No 204 entitled "A Bill for an act
"to provide for Paying the Expense of Lo-
"cating the Public Lands" ——————————

Taken up. ——————————

Mr Randall moved. ——————————

To post four actions until to-morrow. ——————————

Carried. ——————————

H. B. No 94 read 3d time and ——————————

Passed by following vote ——————————

Ayes - Messrs Banta, Bennet, Butters, Cha-
con, Lelelland, De France, Ellenwood.

Gardner, Garrison, Hamilton, Hay-
ner, Hewson, Hill, Johnson, Maxwell,
Weldon, Woodruff, Randall and
Taylor ——— 19.

Noes-Mr Webster ——— 1.

Absent and Not Voting

Messrs. Baker, Hall, Harwell, Mey-
er, Rockwell and Saunders ——— 6.

Title agreed to.

H. B. No. 151 read 3d time and

Passed by following vote

Ayes.-Messrs Barela, Bennet, Butters, Bla-
con, Lehland, De France, Ellsworth,
Gardner, Garrison, Hamilton, Hayner,
Hewson, Hill, Johnson, Maxwell,
Weldon, Woodruff, Randall, Tay-
lor and Webster ——— 20.

Noes. ——— None.

Absent and Not Voting

Messrs. Baker, Hall, Harwell, Meyer,
Rockwell and Saunders ——— 6.

Bill agreed to.

H. B. No. 48 read 3d time

Ayes and Noes called with following result.

Ayes—Messrs Bennett, Butters, Gaudern, Hill, Johnson, Meldrum, Randall, Taylor and Webster — 9—

Noes—Messrs Banks, Bracken, Clelland, DeFranco, Ellsworth, Fransioli, Hamilton, Hayes, Hewson, Mansell and Moynihan — 11—

Absent and Not Voting

Messrs Baker, Hall, Hamill, Meyer, Rockwell and Saunders — 6—

So the Senate refused to pass the Bill.

Mr Webster moved

To agree to report of Committee on Judiciary recommending that H. B. No. 272 entitled "An "Bill for an act to authorize Foreign Corporations and Executors to act in this State" be laid on the Table

Carried

Mr Hayes moved.

To agree to report of Committee on Judi-

ciary, recommending that H. B. No. 58, entitled "A Bill for an act to repeal Sec. 16 of Chap. 55 of the Revised Statutes of Colorado" be indefinitely postponed _____

Carried. _____

Mr Dr France moved. _____

To agree to report of Committee on Judiciary, recommending, that S. B. No. 63 entitled "A Bill for an act to repeal Section 7 of "Chapter 35, of the Revised Statutes of the "Territory of Colorado, do pass. _____

Carried. _____

Mr Maxwell moved. _____

To refer S. B. No. 52 entitled "A Bill for an "Act to provide for the Public Printing and "Publishing and Distribution of the Laws" to Committee on Printing _____

Carried. _____

Mr Nebeker moved. _____

To concur in 1st and 2nd Amendments proposed by the House to S. B. No. 30, _____

Ayes and Noes called with following result. _____

Ayes. Messrs Barela, Bennet, Butler, Chilcott, Dr. France, Fellows etc,

Gardner, Hall, Haynes, Hill, Johnson, Maxwell, Meldrum, Moynahan, Randall, Saunders and Webster — 17.

Noes — Messrs. Adams, Gaussoin, Hamill, Hamilton and Hutson — 5.

Absent and Not Voting

Messrs Bates, Mayer, Rucklos and Taylor — 4.

So the Senate concurred in such proposed amendment.

Mr Butler moved that

To concur in 3rd amendment proposed by the House to S.B. No. 30.

Ayes and Noes called with following result.

Ayes — Messrs. Barela, Brimek, Butler, Holmes, Lehlland, Hall, Haynes, Meldrum, and Randall. — 9.

Noes — Messrs Dr Francis, Ellsworth, Gardner, Gaussoin, Hamill, Hamilton, Hutson, Hill, Johnson, Maxwell, Moynahan, Saunders and Webster — 13.

Clerk & Sd Read Sd Sd

Messrs Bates, Meyer, Rockwell
and Taylor — Ayes

So the Senate refused to concur in such
proposed amendments.

Mr Hall moved
To re-commit S. B. No. 30 to Committee
on Agriculture and Manufactures
Carried.

Unanimous Consent being given,
Joint Committee on Enrollment by
its Chairman, Mr Hamilton, reported
H. B. No 225 entitled "A Bill for an
"Act to amend the existing laws of For-
"cible Entry and detainer in respect
"to Service of notice, demand and process"
Correctly enrolled and signed by the
Speaker of the House.

Mr Treleven moved
To adjourn
Carried.

So at 12 O'clock and 15 minutes the Sen-
ate adjourned.

Afternoon Session.

Senate met at 2 P.M.

Unanimous consent being given, Committee on Fees and Salaries by Mr Blackmar, Mr Hayes reported S. B. No. 68, entitled "A Bill for an act "providing for the payment of costs "by the State in certain criminal cases" back to the Senate recommending that it be filed for 1st reading.

Unanimous consent being given, Committee on Public Lands by Mr Blackmar, Mr Randall reported S. B. No. 14 "Relating to Sections 16 and 36 "of the Public Lands" back to the Senate with recommendations, recommending that the bill do pass as amended.

Unanimous consent being given, Committee on Finance, Ways and Means by Mr Blackmar, Mr Butters reported S. B. No. 44, entitled "A Bill for an act "to prescribe certain Powers and Duties "of the Executive Department, and Cer- "tain rules in relation to the Fiscal

"Certain of the State in connection there-
"with" back to the Senate, recommending,
that the Senate concur in amendments
proposed by the House.

Mr Rockwell asked
To be excused from Service as Chairman
of Committee on Judiciary—Ord moved.
To appoint Mr Bennet as such Chair-
man.
Carried.

Mr Hayes moved
To agree to report of Committee on Fees
and Salaries on S. B. No. 68.
Carried.

Message from the Governor.

State of Colorado.
Executive Department
Denver, Feby. 14—1877.

Hon Lafayette Head.
President of Senate
Sir
I have the honor to inform
you, that I have this day signed Senate
Bill No. 127, and Senate Memorial and Joint

Resolution No. 13, and have filed the same with the Secretary of State

Very Respectfully

John L. Routt

Governor.

Mr Butters moved that the Senate now resolve itself into the Committee of the Whole on H.B. No. 87 be passed.

So the Senate went into Committee of the Whole with Mr Butters in the Chair.

The Committee of the Whole rose. And the Senate resumed its session, and the following report was read.

Mr President

The Committee of the Whole House have had under consideration H. B. No. 87 and have made further progress with the same and ask leave to sit again.

Alfred Butters

Chairman.

Mr Ellsworth moved _____

To recon reprint_ed _____

To grant request _____

Carried. _____

Communication from the Secretary of State relative to necessity of increased clerical force in his office _____

Read _____

Unanimous consent being given. _____

Committee on Enrollment by its Chairman. Mr Johnson, reported _____

S. B. No. 19 entitled: "A Bill for an act "to provide for the payment of the claim "of Williams Mist for translating the Con- "stitution of the State into the German "Language" back to the Senate correctly enrolled. _____

Mr Butters moved. _____

To adjourn _____

Carried. _____

So at 5-15 P. M. the Senate adjourned. _____

Evening Session.

Senate met at 7½ P. M.

Mr Bullen moved
That the Senate resolve itself into
the Committee of the Whole on H. B. No. 87.—
Lost.

Mr Ellsworth moved
To adjourn
Lost.

Mr Ellsworth moved.
That the Senate resolve itself into
the Committee of the Whole on H. B. No. 87—
Carried

So the Senate went into Committee of
the Whole with
Mr Bullen in the Chair

The Committee of the Whole rose,
The Senate resumed its session
The following report was read.
Mr President.

The Committee of the Whole House have had under consideration H. B. No. 87. and have made further progress and ask leave to sit again

Alfred Butters
Chairman

Mr Ellsworth moved

To recede report Eq

To grant request

Carried.

Mr Ellsworth moved.

To adjourn

Carried

So at 9 40 P.M the Senate adjourned.

Journal of the Senate

February 15 ~ 1877

Approved

General Assembly of Louisiana.

Senate
First Session.
Thursday, February 15th 1877.

Senate met pursuant to adjournment.—

Lieut Gov presiding ———

Roll Call ———

Absent-Messrs Bates, Gardner, Hamilton, Hill, Meldrum, and Taylor ———

Journal of yesterday read and approved. ———

Mr Bates appeared and took his seat.—

Reports of Special Committees.

Special Joint Committee appointed under H. B. K. No. 17, presented a report recommending.

That S. B. No. 50 entitled "A Bill for an "Act for the Government and Management "of the State Penitentiary" be laid on the Table

That S. B. No. 153 entitled "A Bill for an "Act to provide for the Maintenance, Government, and Police of the Penitentiary "also the mode of appointing Officers and "fixing the Salary of the same" be placed on file for 1st and 2nd reading and

That H. B. No. 253 entitled "A Bill for an "Act to provide for the Government and "support of the Penitentiary and the discipline thereof" be laid on the Table.

Messrs Hamilton and Muldoon appeared and took their seats

Mr Lelland moved.

To agree to report of Special Joint Committee

Carried.

Mr Mc Gregor moved:
To refer S. B. No. 153 to Committee on Printing, with orders to print
and report.

Committee on Agriculture and Manufactures by Mr Blackmar, Mr Gardner, Republican.
S. B. No. 30, entitled "A Bill for an act "for the Protection of Wild Game and "Insectivorous Birds" and to the Senate with sundry amendments and recommendations

Mr Mallmann:
To agree to report

Mr De Francis moved
To amend by providing that owners of dogs should be liable only after notice that their dogs were howling or running game.

Mr Gardner moved:
To re-refer the Bill and Amendments to Committee on Agriculture & Manufactures

Mr Hallmond.

To amend by refering the Bill and Amendments to Committee on Agriculture

Ayes and Noes called with following result

Ayes - Messrs Button, Gardner, Hall, Hamill, Haynes, Maxwell, Mebane, Moynahan, Randall and Webb - 10.

Noes. - Messrs. Banks, Babb, Bennett, Blackwelder, Lelland, De Graw, Ellington, Gannaway, Hanson, Hill, Johnson, and Rockwell - 12.

About and Not Voting

Messrs Hamilton, Meyer, Saunders and Taylor - 4.

So the amendment was lost

The question recurring on motion to refer to Committee on Agriculture and Manufactures it was,

Carried

Reading of Bills

S. B. No. 68, entitled "A Bill for an
"Act providing for the payment of
"Costs by the State in certain Criminal
"Cases"

Read 1st time

H. B. No. 241 entitled "A Bill for an act
"to create and establish the County of
"Humbolt"

Read 2nd time and
Referred to Committee of the Whole

H. B. No. 251, entitled "A Bill for an act
"to submit to the qualified Electors of
"the State of Colorado, the amendment to
"Sec. 29. of Art. 6. of the Constitution of the
"State of Colorado, concerning the Judi-
"cial Department"

Read 2nd time
Referred to Committee of the Whole

Message from the House

State of Colorado.

Chamber of the House of Representatives
Denver Feby. 15th 1877.

To the Honorable
The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has amended and passed, S. B. No. 149, and refuses to concur in the Senate amendment to H. B. No. 96

Respectfully

M. B. Fellon

Chief Clerk of the House

H. B. No. 61 entitled "A Bill for an act "to provide for the assessment and Col- "lection of Revenue, and to repeal Cer- "tain Acts in relation thereto"

Read 2nd time

Mr Butters moved

To refer to Committee on Finance, Ways and Means.

Carried

H. B. No. 63, entitled "A Bill for an act "to repeal Section 7, of Chapter 35 of the "Revised Statutes of the Territory of Colora- "do, and enact other provisions in lieu "thereof"

Read 3d time and

Passed by following vote

Ayes. Messrs Baker, Breech, Butters

Schoeck, Schelland, De France, Ellsworth, Gardner, Gaussoin, Hamill, Hamilton, Harper, Hewes, Hill, Johnson, Maxwell, Meldrum, Morgenthau, Randall, Saunders and Nobles — 21.

Noes, — None.

Abstained and Not Voting

Messrs Barela, Hall, Meyer, Rockwell and Taylor — 5

Tilt agreed to.

H. B. No. 204. entitled "A Bill for an "Act to provide for Paying the Expenses "of Locating the Public Lands" —

Read 3d time —

Mr Randall moved

To re-commit to Committee on Public Lands —

Carried.

Mr Hamill moved

To recede from Amendment proposed by the Senate to Sec. 1 of H. B. No. 94 entitled "A "Bill for an Act exempting Firemen as "Jurors and from Paying a Poll Tax in

"the State of Colorado, and to repeal cer-
"tain acts relating thereto" _____

Ayes and Noes called with following re-
sult. _____

Ayes—Messrs. Banks, Bates, Bennet, But-
ler, Chacon, de France, Ellsworth,
Gardner, Gaussoin, Hamill, Haynes,
Hill, Johnson, Maxwell, Mehlhaus,
Randall, and Saunders _____ 17

Noes—Messrs Hamilton, Hansen, Meyer-
hoff, and Webster _____ 4

Absent and Not Voting

Messrs Clelland, Hall, Meyer, Rock-
well and Taylor _____ 5

So the Senate rejected from such amend-
ment. _____

Mr Butters moved. _____
To concur in amendment proposed by the
House to title of _____
S. B. No. 49, entitled "A Bill for an Act to
"provide for the construction of buildings
"used for Public Assemblages" _____
Ayes and Noes called with following re-
sult. _____

Ayes—Messrs Barela, Baker, Bennett, Bittle, Blacon, Clelland, De France, Ellsworth, Gaussoin, Hamill, Hamilton, Hayes, Henson, Hill, Johnson, Mansell, Meldrum, Morgenlander, Randall, Saunders and Webber — 21.

Noes. — None.

Absent and Not Voting — Messrs Gardner, Hall, Meyer, Rockwell and Taylor — 5

So the Senate concurred in said amendment.

Mr Butler moved that the Senate refuse to concur in amendments proposed by the House to Sec. 2 of S. B. No 49 and ask for a Conference.

Ayes and Noes called with following result:

Ayes—Messrs Barela, Baker, Bennett, Butler, Blacon, Clelland, De France, Ellsworth, Gardner, Gaussoin, Hamill, Hamilton, Henson, Hill, Johnson, Mansell, Meldrum, Morgenlander, Saunders and Webber — 20.

Messrs. Messrs Haynes and Randall — &c

Absent and Not Voting

Messrs Hall, Meyer, Rockwell and Taylor — 4

So the Senate refused to concur in such amendment.

Mr Butler moved to adopt report of Committee on Public Lands on S. J. R. No. 14. "Relating to Sections 16 and 36 of the Public Lands" — Carried.

Mr Beach moved To order S. J. R. No. 14 as amended engrossed for 3d reading — Carried

Mr Maxwell moved To adjourn — Carried.

So at 12 O'clock and 15 Minutes the Senate adjourned.

Afternoon Session

Senate met at 2 P.M.

Mr Taylor appeared and took his seat.

S. B. No 44. entitled "A Bill for an act "to prescribe certain powers and duties of "the Officers of the Executive Department, "and certain rules in relation to the Fis- "cal Affairs of the State"

Taken up.

Mr Butters moved

To concur in 2nd Amendment proposed by the House to S. B. No 44.

Ayes- Messrs Barela, Bennet, Butters Clelland, De France, Ellsworth, Gardiner, Gaussoin, Hall, Hamilton, Hayes, Henson, Hill, Maxwell, Weldrum, Moyneahan, Randall, Saunders and Webster— 19.

Noes- Messrs Bates, Deacon, Hamill, Johnson, Rockwell and Taylor — 6.

Absent and Not Voting —

Mr Meyer, — 1

So the Senate concurred in said amend-
ment

Hon Butters moved
To concur in 3d Amendment proposed
by the House to S. B. No. 44.
Ayes and Noes called with following
result.

Ayes - Messrs. Barela, Bates, Bennett,
Butters, Chacon, Clelland, Ellis-
worth, Gardner, Hall, Hamilton,
Haynes, Hinson, Johnson, Mac-
well, Randall, Rockwell, Saund-
ers, and Webster ——— 18 -

Noes. - Messrs. De France, Gaunson, Haw-
ill, Hill, Meldrum, Moyer, Taylor
and Taylor ——— 7 -

Absent and Not Voting
Hon Meyer ——— 1 -

So the Senate concurred in said amend-
ment.

Hon Haynes moved.
To non-concur in 4th Amendment
proposed by the House to S. B. No. 44.

Ayes and Nes called with following result.

Ayes.—Messrs. Barela, Bates, Bennet, Butters, Chaves, Clelland, De-France, Gardner, Hall, Hamill, Hamilton, Hayes, Hewson, Hill, Johnson, Maxwell, Meldrum, Moyer, Randall, Rockwell, Saunders and Webster — 22—

Noes — None.

Absent and Not Voting — Messrs Gammon, Ellsworth, Meyer and Taylor — 4.

So the Senate refused to concur in such amendment.

Mr Butters moved. To concur in 5th amendment proposed by the House to S. B. No. 41. Ayes and Nes called with following result

Ayes—Messrs. Bates, Bennet, Butters, Clelland, De France, Ellsworth, Gardner, Hall, Hamilton, Hewson, Hill, Johnson, Maxwell, Meldrum

Mcgrealan, Randall, Rockwell,
Saunders and Webster ——— 19

Noes.- Mr Hayner ——— 1

Absent and Not Voting ———

Messrs Barla, Bleecon, Gaussoin,
Hamill, Meyer, and Taylor ——— 6.

So the Senate concured in such amend-
ment. ———

Mr Butters moved. ———
To concur in 1st " 6th " 7th " 8th " 9th " 10th " 11th "
12th and 13th Amendments proposed by the
House to S. B. No. 44. ———
Ayes and Noes called with following
result. ———

Ayes.- Messrs Barla, Bates, Bennett,
Butters, Clelland, De France, Ellis-
worth, Gardner, Gaussoin, Hall,
Hamilton, Hayner, Henson, Hill
Johnson, Maxwell, Meldrum,
Mcgrealan, Randall, Rockwell,
Saunders, and Webster ——— 22

Noes.- Mr Hamill ——— 1

Absent and Not Voting:

Messrs Babcock, Meyer and
Taylor — 3

So the Senate concurred in said amendments.

Ther Rockwell moved.
To suspend the rules — Carried
To place H. B. No. 182 entitled "A Bill
"for an act to repeal Section One of an
"Act entitled 'An act to incorporate
"the City of Black Hawk Approved Feb.
"10th A.D. 1865 relating to the appoint-
"ment of a Board of School Directors
"for said City, and to enact other pro-
"visions in lieu thereof" on 3d reading
and final passage
Carried

H. B. No. 182 read 3d time and
Passed by following vote:
Ayes - Messrs. Barela, Bates, Bennett
Lobelland, De France, Ellsworth,
Gardner, Hall, Hamill, Hamil-
ton, Hill, Johnson, Manuel, Mel-
drum, Randall, Rockwell, Wey-
mouth and Webster — 18

Ayes, Messrs. Butters, Glascock, Gaus-
sen, Hayner, Hinson, and Saun-
ders ——— 6

Absent and Not Voting
Messrs Meyer and Taylor ——— 2

Title agreed to.

Unanimous consent being given
Joint Committee on Enrollment, by its
Chairman, Mr. Hamilton, reported
S. B. No. 19 correctly enrolled and signed
by the Speaker of the House.

The Title was read and
The President announced the signing of
S. B. No. 19 entitled "A Bill for an act
"to provide for the payment of the claims
"of William Wirt for translating the Con-
"stitution of the State into the German Lan-
"guage" and
H. B. No. 225 entitled "A Bill for an act
"to amend the existing laws of Forcible
"Entry and Detainer in respect to Service,
"Notice, Demand and Process"

Message from the Governor.

State of Colorado

Executive Department

Denver, Feby, 15th 1877.

Hon Lafayette Head

President of Senate

Sir.

I have the honor to transmit herewith the report of the State Board of Health. Much time and labor has been devoted upon its compilation which is especially commendable as the members of the Board, receive no compensation for their services. This admirable report will prove of great value to the Medical Profession of other States and to those seeking a change of climate. Having already expressed my views in reference to the great utility of the Board I would therefore request a careful perusal of the first report and recommend that your Honorable Body so legislate as to provide proper support for the Board and make it a permanent institution of the State.

Very Respectfully

Lou L. Routt

Governor.

Mr Brooks moved.

To refer to Committee on Incorporations carried.

Unanimous consent being given, Committee on Mines and Mining by its Chairman Mr Hamill reported S. B. No. 126, entitled "A Bill for an act "concerning the drainage of Mines, and the "method of enforcing the costs and expenses "thereof" and

S. B. No. 146, entitled "A Bill for an act to "provide for the drainage of Mines, and to "regulate the liabilities of Miners, Mine "Owners, and Mill Men, in certain cases "and to repeal all Territorial Acts on the "subject" back to the Senate recommending that S. B. No. 126 be indefinitely postponed and

that S. B. No. 146, be referred to Committee on Printing, with orders to print.

Mr Rockwell moved.

To agree to report carried.

Mr Ellsworth moved that the Senate now resolve itself into the Committee of the Whole on H. B. No. 87.—

Carried

So the Senate went into Committee of the Whole with Mr Butters in the Chair

The Committee of the Whole rose. and The Senate resumed its session for the purpose of receiving the following

Message from the House.

State of Colorado

Clerks Office of the House of Representatives

Denver, Feby. 15th 1877

To the Honorable

The Senate of the State of Colorado

Sirs having been a clerical error in the House Amendment to Sec. 7. of Art. 4. of S. B. No. 44. the amendment has been corrected and with the bill is herewith returned to your Honorable Body for further consideration

Respectfully

N. B. Fellows

Chief Clerk of the House.

The Senate requires concurrence of the House in the Resolve entitled An Act to Amend Section 1 of Chapter 1 of the Revised Statutes relating to the Boundaries of Counties

The Committee of the Whole rose.

The Senate resumed its session and

The following report was read

Mr. President

The Committee of the Whole House have had under consideration H.P. No. 87, Have made further progress therein and ask leave to sit again

Alfred Butters

Chairman

Mr Weber moved.

To receive the report and

To grant request

Carried.

Mr Butters moved.

To concur in the House Amendment proposed by the House to S.P. No. 44

Ayes and Noes called with following result

Ayes-Messrs. Barker, Bennett, Butters.

Schaeffer, Schelland, Dr. Francis, Ellsworth, Gardner, Gassmann, Hall, Hamilton, Hayes, Hewes, Hill, Maxwell, Meldrum, Moyneham, Randall, Saunders and Webber ——— 20.-

Noes- Mr Hamill ——— 1-

Absent and Not Voting

Messrs. Bales, Johnson, Meyer, Rockwell and Taylor ——— 5-

So the Senate Concurred in such amendment. ———

Messages from House Concurrent Being given ———

Joint Committee on Enrollment by its Secretary Mr Hamilton reported ——— H. B. No: 225 and S. B No. 19. presented to His Excellency, the Governor for approval at 4:20 O'clock P. M. February 15th 1877. ———

Mr Webber moved ———

To adjourn ———

Carried ———

So at 5:00 P.M. the Senate adjourned. ———

Evening Session

Senate met at 7½ P.M.

Mr Randall moved.
That the Senate now resolve itself into the Committee of the Whole on General File
Carried

So the Senate went into Committee of the Whole with Mr Randall in the Chair

The Committee of the Whole rose.
The Senate resumed its session and
The following report was read.
Mr President

The Committee of the Whole House have had under consideration the General File and
Recommend.- That S. B. No. 80 be refused to Committee on Agriculture and Manufactures. That S. B. No. 60 entitled "A Bill "for an act for the establishment and lo-"cation of a Hospital for the Insane of the

"State and to provide rules for the regu-
"lation and government of the same" be
referred to Committee on State Institutions
and Public Buildings

Hon made sundry amendments to S. B. No 53
entitled "A Bill for an act to authorize
"the district Courts to allow fees to Coun-
"sel assigned to Prisoners in certain cases"
and recommend that the bill be engrossed
for 3d reading

E. S. Randall

Adjourned

Mr Lelland moved.

To agree to report

Carried

Mr Ellsworth moved

To adjourn

Carried

So at 9 20 P. M. the Senate adjourned.

Journal of the Senate

February 16th 1877.

A Jefferson

General Assembly of Colorado.

Senate
First Session
Friday. February 16th 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call.

Absent.—Messrs. Baker, Bennet, DeFrance, Hamill, Hill, Maxwell, Meyer and Rockwell.

Quorum present.

Prayer by the Chaplain.

Messrs Hamill and Hill appeared and took their seats.

Journal of yesterday read and approved.

Mr Baker appeared and took his seat.

Reports from Standing Committees

Committee on Printing by its Chairman, Mr Johnson, reported
S. B. No. 154 entitled "A Bill for an act
"to repeal an act concerning Sails and
"to enact other laws in place thereof"
back to the Senate correctly printed. And
S. B. No. 54, entitled "A Bill for an act
"to provide for the Public Printing and Pub-
"lishing and distribution of the Laws" back
to the Senate recommending that Amend-
ments proposed by the House be concurred
in
Mr Maxwell appeared and took his Seat.
Mr Johnson moved
To agree to report and
To concur in Amendments proposed by the
House to S. B. No. 54
Ayes and Noes called with following
result.
Ayes—Messrs Barela, Baker, Butters
Deacon, Clelland, Ellenwood,
Gardner, Gannon, Hall, Harrill,
Hamilton, Hayes, Heusser, Hill,
Johnson, Maxwell, Meldrum, Mur-
raham, Randall, Saunders, Taylor
and Webber 22.

Noes. None.

Absent and Not Voting

Messrs Bennett, De France, Meyer and Rockwell 4.

Message from the House.

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 16th 1877.

To the Honorable,

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House refuses to pass S. B. No. 73, "to prevent the "firing of woods and Prairies"

Respectfully

W. B. Felker

Chief Clerk of the House.

S. B. No. 68. entitled "A Bill for an Act "providing for the Payment of Costs by "the State in certain Criminal Cases"—

Read 2nd time

Mr Weber moved.

To refer to Committee on Judiciary

Carried.

Mr Butler moved

Mr. the Senate now resolve itself into the Committee of the Whole on General File

Carried.

So the Senate went into Committee of the Whole with Mr. Webber in the Chair.

The Committee of the whole rose The Senate resumed its session and The following report was read

Mr President

The Committee of the Whole House have had under consideration the General File. Have made Sundry amendments to S. B. No 154 and recommend that the amendments be agreed to. and that Sec. 20 be referred to Committee on Penitentiary

W. W. Webber

Chairman

Mr Hall moved To adopt report

Carried.

Messrs Bennett and Dr Fraser appeared and took their seats

Message from the House.

State of Colorado

Chamber of the House of Representatives

Denver Feby. 16 1877

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has passed S. B. No. 118 and has amended and passed S. B. No. 61 both of which are herewith transmitted

Respectfully

N. B. Felton

Chief Clerk of the House.

Mr Ellenwood presented an invitation extended by the Management of the Denver Pacific Railway Company to the Members of the General Assembly and their families for a trip to Cheyenne and return

Mr Hawkins moved.

That the Senate return thanks to the

Denver Pacific Railway Company for
the County Indebtedness
Loans.

Mr Ellsworth moved,
To adjourn
Carried.

So at 12 O'clock and 15 Minutes the Sen-
ate adjourned.

Afternoon Session.

Senate met at 2 P.M.

Mr Butler moved.
To take up
S.B. No. 61 entitled "A Bill for an act
"Concerning Counties, County Officers, and
"County Government and Repealing all
"Laws on these subjects" and Amendments
proposed by the House - and

To refer the same to Committee on Counties and County Lines. ——— Carried. ———

Unanimous consent being given. ——— Committee on Mines and Mining by its Chairman, Mr Hamill, reported. ——— S. B. No 130, entitled "A Bill for an act "defining the ownership of Waters fun- "damed for Mining Purposes" back to the Senate, with a recommendation to refer to Committee on Printing with orders to print. ———

Mr Gamerson moved. ——— To adopt report ——— Carried ———

Unanimous consent being given ——— Committee on Engrossment by its Chairman, Mr Maxwell, reported. ——— S. I. R. No. 14 "Relating to Sections 16 and "36 of the Public Lands" and ——— S.B. No. 53, entitled "A Bill for an act "to authorize the District Courts to al- "low Fees to Counsel assigned to Prison- "ers in certain Cases." back to the Sen- ate correctly engrossed. ——— ———

Mr Maxwell moved that the Senate now resolve itself into the Committee of the Whole, on H. B. No. 84. which motion prevailed

So the Senate went into Committee of the Whole with Mr Butters in the Chair.

The Committee of the Whole rose, and the Senate resumed its session for the purpose of receiving the following

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Feby 16th 1877.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House insists on its Amendment to Sec. 2 of S. B. No. 49, also, That the House has passed H. B's. No. 32, 61, 71, 178, 207, 257,

and 259, all of which are herewith transmitted

Respectfully

W. B. Fellows

Clerk of the House

The Senate again went into Committee of the Whole with Mr Butler in the Chair.

The Committee of the Whole rose. And the Senate resumed its session. And the following report was read

Mr President

The Committee of the Whole House have had under consideration H. B. No. 87. Have made sundry amendments thereto, and report the same back to the Senate with the recommendation that the amendments be engrossed, printed and agreed to.

Alfred Butler

Chairman

Mr Bennett moved That the amendments be ordered en-

ground and printed
Carried:

Message from the Governor.

State of Colorado
Executive Department
Denver. Feby. 16 1877

Hon Lafayette Head
President of Senate
Sir

I have the honor to inform you, that I have this day signed Senate Bill No. 19 entitled "An Act to provide "for the payment of the claim of William "Ulrich for translating the Constitution "of the State into the German Language" and have filed the same with the Secretary of State

Very Respectfully
John L. Routt
Governor

Mr Butters moved
To take up S.B. No. 49 entitled "A Bill for an act relating to the Construction of Buildings used for Public Assemblages" Carried.

Mr Gleason moved. ——————
That the Senate refuse to Concur in
Amendment proposed by the House to
Sec. 2 of S. B. No. 49 and ask for Committee
of Conference on the same. ——————
Carried. ——————

Mr Webster moved ——————
To suspend the rules and ——————
Read all Bills on 1st reading. ——————
Carried. ——————

Mr Butler moved ——————
To grant Mr Hill leave of absence for
to-days Session. ——————
Carried. ——————

H. B. No. 32, entitled "A Bill for an act
"to repeal Sec. 2 of an act to provide for
"the further execution of the Trust rela-
"tive to the Town Site of the Town of Da-
"ko Springs and to regulate the same
"and provide for a substitute therefor"—
Read 1st time ——————

H. B. No. 61 entitled "A Bill for an act
"to repeal Sec. 2 of Chapter 53 of the Re-
"vised Statutes" ——————

Read 1st time

H. B. No. 71 entitled "A Bill for an act "making an appropriation for Incum "Pantens" Read 1st time

H. B. No. 178 entitled "A Bill for an act "to repeal an act entitled 'An act con- "cerning Fences and Enclosures in Con- "ejor County and in other counties "under certain circumstances' approved "Feby. 22 1874" Read 1st time

H. B. No. 207, entitled "A Bill for an act "to legalize certain proceedings of the "County Commissioners of San Juan "County" Read 1st time

Amended H. B. No. 257 entitled "A Bill "for an act to legalize the proceedings "of Probate Courts of certain Counties "therein and in Divorce Cases" Read 1st time

H. B. No 259, entitled "A Bill for an

"Act concerning the more definite
"location of County Lines".
Read 1st time

Hon Haynes moved
to adjourn until to-morrow at 9 AM.
Carried.

So at 4.30 P.M. the Senate adjourned

Journal of the Senate

February 17th 1857.

Approved.

General Assembly of California

Senate

First Session

Saturday February 17th 1849

Senate met pursuant to adjournment

Lieutenant Governor presiding.

Roll call

Absent-Messrs De France, Gardner, Hamilton, Hayes, Hill, Moyamabau, Rockwell, Taylor and Webster.

Journal read.

Prayer by the Chaplain

Mr Hill appeared and took his seat.

Journal of yesterday read and approved.

Messrs Moyamabau and Webster appeared and took their seats

Hon. Hamill moved
to grant Mr. Hamilton leave of absence
for one week
Carried.

Refusal from Standing Committee

Committee on Printing by its Chairman, Hon Johnson reported
S. B. No. 43, entitled "A Bill for an act
"to provide for the selection, location, appro-
"val, Sale and Leasing of State Lands" (as
amended) back to the Senate correctly
printed, except,
That in Sec 6 of Art. 2 add to line 2 the
word "and" and
In Art. 3, Sec. 3. line 1 add "s" to the word
"commissioner"

Committee on Mines and Mining by its
Chairman, Hon Hamill reported,
S. B. No. 78, entitled "A Bill for an act
"Concerning a School of Mines" back to
the Senate, recommending,
That it be refused to Committee on Print-
ing with order to print.

Committee on Penitentiary, by its Chair-

mem. Mr. Mayhew, reported ——

S. B. No. 131 entitled "A Bill for an act to
"repeal the act concerning Sails, and to
"enact other laws in place thereof" back
to the Senate, with a substitute for Sec.
20. recommending the adoption thereof. —

Committee on Judiciary by Chairman
Mr. Bennett, reported ——

S. B. No 131 entitled "A Bill for an act
"Creating and establishing the Right of
"Dower in Decedents estates" ——

S. B. No. 136, entitled "A Bill for an act pro-
"viding for Estates in Dower" and ——

H. B. No. 219 entitled "A Bill for an act
"for the relief of Silas L. Bennett, of Lebar
"Clark County and Lebarina P. Hoyt of
"Jefferson County" back to the Senate
recommending that they do lie on the
Table. ——

Mr. Hamill moved. ——

To agree to reports of Standing Committees
on H. B. No. 219 and S. Bills No. 131, 136, 78, and
154. ——

Carried ——

Joint Committee on Enrollment by

Mr Abell offered

H. B. No. 151 Correctly enrolled and signed by the Speaker of the House.

Mr Tilt was read and

the President announced the signing of H. B. No. 151, entitled "A Bill for an act "relating to Supreme Court Library"

Committee on Public Lands by its Chairman, Mr Randall, reported H. B No 204, entitled "A Bill for an act "to provide for Paying the Expense of Lo- "cating the Public Lands" back to the Sen- ate with amendment, recommending that amendment be agreed to and that bill as amended do pass

Reading of Bills

H. B. No. 259 entitled "A Bill for an "Act concerning the more definite Lo- "cation of County Lines"

Read 2nd time

Mr Maxwell moved

to refer to Committee on Counties and County Lines.

Mr Butters moved.
To reconsider vote whereby H. B. No 259
was refused to be committed to Committee
of the Whole

H. B. No. 259 was refused to be committed
of the Whole

H. B. No. 257 entitled "A Bill for an act
"to legalize the proceedings of Probate Courts
"of certain Counties therein for and in
"Divorce Cases"
Read 2nd time and
Refused to be committed of the Whole.

H. B. No. 178 entitled "A Bill for an act
"to repeal an act entitled 'an act con-
"cerning Fences and Enclosures in Coun-
"ties for County and in other Counties con-
"cerning certain Circumstances' approved,
"Febry. 12th 1874"
Read 2nd time and

Mr Butters moved.
To refer to Committee on Agriculture

and Manufactures
Carried.

H. B. No. 41. entitled "A Bill for an act
"making an appropriation for Insane
"Asylum"
Read 2nd time

Mr Ellsworth moved
To refer to Committee on Judiciary
Carried.

H. B. No. 61. entitled "A Bill for an act
"to repeal Sec. 2 of Chap. 53. of the Revised
"Statutes of Colorado, relating to Licenses
"required to be paid by Pedlers and other
"persons and to enact other provisions
"in lieu thereof."
Read 2nd time - and
Referred to Committee of the Whole.

H. B. No. 32, entitled "A Bill for an act
"to repeal Section 2 of an act to provide
"for the further Execution of the Work
"relating to the Lower-side of the Town
"of Idaho Springs, and to regulate the
"use same, and provide for a substitute
"therefor"

Read 2nd time and

Mr Morgenthau moved

To refer to Committee on Incorporations

Carried

H. B. No. 207, entitled "A Bill for an
"Act to legalize certain proceedings of
"the County Commissioners of San Juan
"County

Read 2nd time and

Mr Morgenthau moved

To refer to Committee on Judiciary —

Carried

S. J. R. No. 11 "Relative to Sections 16 and
"36 of the Public Lands"

Read 3rd time and

Passed by following vote

Ayes—Messrs Baker, Bennet, Bullen,
Chapman, Clelland, Ellsworth,
Fourtney, Hall, Harvill, Hill
Johnson, Manuel, Mebelman,
Morgenthau, Randall, Saunders,
and Webber — 17

Noes, Mr Stevens — 1

Absent and Not Voting

Messrs Barela, De France, Gardner, Hamilton, Hayner, Meyer, Rockwell, and Taylor — 8

Title agreed to.

S. B. No. 53 entitled "A Bill for an act "to authorize the District Courts to allow "Fees to counsel assigned to Prisoners in "Certain Cases" —

Read 3d time and

Ayes and Noes called with following result.

Ayes - Messrs. Branch, Deacon, Lebel-land, Garrison, Hall, Hruza Hill, Meldrum, Saunders and Webster — 10

Noes - Messrs. Baker, Butters, Ellsworth Hamill, Johnson, Maxwell, and Weyrauch, — 7

Absent and Not Voting

Messrs. Barela, De France, Gardner Hamilton, Hayner, Meyer, Randall, Rockwell, and Taylor — 9

The Secretary returned the Bill

Mr. Mansell moved,
To reconsider the vote whereby the Sen-
ate returned to-day S. B. No. 53,
Carried.

Mr. Saunders moved
To postpone action on S. B. No. 53
Carried.

Unanimous Consent being given,
Joint Committee on Enrollment, by
Mr. Hall reported
H. B. No. 182, H. B No. 63, and H. B. No. 8, cor-
rectly enrolled and signed by the Speak-
er of the House.

The Title was read and
The President announced the signing of
H. B. No. 8, entitled "A Bill for an act
"to provide for the Payment of Salaries
"to Officers of the Executive and Judicial
"Departments of the State of Colorado"—
H. B. No. 63, entitled "A Bill for an act
"to repeal Section 1, of Chapter 35 of the
"Revised Statutes of the Territory of Colo-
"rado, and enact other provisions in lieu

"thereof" and
H. B. No. 182 entitled "A Bill for an act
"to provide for the apportionment of a Board
"of School Directors for the City of Black
"Hawk, and to repeal Section one of an
"Act entitled 'an act to incorporate the
"City of Black Hawk' approved Feby. 10
"1865."

Mr. De France appeared and took his seat.

Message from the House.

State of Colorado,
Chamber of the House of Representatives
Denver, Feby. 17th 1865.

To the Honorable
The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House recedes from its amendment to S. B. No. 49 in-sted of insisting, as reported yesterday. — S. B. No. 49 is herewith transmitted

Respectfully.
W. B. Felker
Chief Clerk of the House.

Mr. Randall moved. that the Senate now resolve itself into the Committee of the Whole on General File

Carried.

So the Senate went into Committee of the Whole with Mr Randall in the Chair

The Committee of the Whole rose. The Senate resumed its session and The following report was read

Mr President

The Committee of the Whole House have had under consideration the General File Have made some progress. with S. B. No. 43 and ask Leave to sit again.

E. S. Randall

Chairman.

Mr Hamill moved. To receive report and To grant request Carried

Unanimous consent being given —
Joint Committee on Enrollment,
by Mr Hall, referred
House Bills No. 8, 63, 151 and 187 pre-
sented to His Excellency, the Gover-
nor for his approval at 10 20 am. Feby.
17-1877.

Mr Hamlin moved,
To adjourn
Carried.

So at 12 M. the Senate adjourned.

Afternoon Session

Senate met at 2 P.M.

Mr Randall moved
That the Senate now resolve itself
into the Committee of the Whole on
General File
Carried

So the Senate went into Committee of the Whole with Mr Randall in the Chair

The Committee of the Whole rose and The Senate resumed its session for the purpose of receiving the following

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Feby 17th 1877

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has passed S. B. No. 135 for the relief of Las Animas County which is herewith transmitted

Respectfully

N. B. Felker

Chief Clerk of the House.

The Senate again went into Committee of the Whole with

Mr Randall in the Chair.

The Committee of the Whole rose. And
The Senate resumed its Session.
The following report was read.
Mr President

The Committee of the Whole House have had under consideration the General File.
Have made sundry amendments to H. B. No. 43 and report the same back to the Senate, recommending, that amendments be agreed to and bill as amended engrossed.

E. S. Randall
Chairman

Mr Butler moved,
To agree to report
Carried

Mr Hayes appeared and took his seat.

Mr Harrill moved,
To adjourn until Monday morning at 9 O'clock

Loaded.

Sc ab 5 P. XII. de Serati adfinem.

Journal of the Senate

February 19th 1877.

Approved.

General Assembly of Colorado

Senate
First Session.
Monday. February 19th 1877.

Senate met pursuant to adjournment.

Lieutenant Governor presiding.

Roll Call.

Absent-Messrs. Hamilton (excused) Dr-
France, Hayner, Hill, Meyer, Rock-
well, and Taylor.

Journal read.

Prayer by the Chaplain.

Mr Baird moved,

To grant Mr Taylor leave of absence un-
til Wednesday

Carried.

Mr Hill appeared and took his seat

Journal of Saturday Feby 17 read, and

approved.

Reports of Standing Committees.

Committee on Enrollment by its Chairman, Mr Johnson, reported

S. B. No. 49 entitled "A Bill for an act "relating to the construction of Buildings "used for Public Assemblages" and

S. B. No 54, entitled "A Bill for an act "to provide for the Public Printing and Pub- "lishing and Distribution of the Laws" back to the Senate correctly enrolled

Committee on Judiciary by its Chairman, Mr Bennett, reported

S. B. No. 116, entitled "A Bill for an act "concerning Jurors"

S. B. No. 139, entitled "A Bill for an act to "repeal all existing Laws concerning Jurors "in the District Courts and to enact other "provisions in lieu thereof."

S. B. No. 151, entitled "A Bill for an act "to provide for the Partition of Real Es- "tate"

S. B. No. 125, entitled "A Bill for an act "to regulate the conditions of Appeal Bonds "and Supersedeas Bonds when the Judg-

"ment or Decree complained of is for the
"Recovery of Land or the possession thereof"
S. B. No. 104 entitled "A Bill for an act
"Concerning Official Seals" ——————
H. B. No. 23 entitled "A Bill for an act
"to repeal all existing Laws relating
"to Marriage, and enact other provisions
"in lieu thereof" and ——————
S. B. No. 39. entitled "A Bill for an act to
"repeal Sections 26 and 32 of Chapter 27 of
"the Revised Statutes concerning Ejectment"
back to the Senate with the recommenda-
tion that they be laid on the Table. ——

——————— also ———————

S. B. No. 65 entitled "A Bill for an act
"Concerning County Buildings" back to the
Senate with pending amendments and
recommending that amendments be agreed
to, and bill passed as amended. ——————

——————— also ———————

H. B. No. 71. entitled "A Bill for an act
"making an appropriation for Insane
"Paupers" back to the Senate, recommen-
ding that it be refused to Committee on
Finance, Ways and Means. ——————

——————— also ———————

S. B. No. 34, entitled "A Bill for an act
"to provide for Licensing Mercantile Agents"

back to the Senate without recommendation and a request to be discharged from further consideration thereof. ——

Mr Bennett moved ——
To adopt report of committee on Judiciary. ——
Carried ——

Committee on Military Affairs by its Chairman, Mr Meldrum, reported ——
S. B. No. 81, entitled "A Bill for an act to "authorize the Governor of the State, to make "on the General Government, a requisition "for Arms, and to give Bond for the Same" back to the Senate, recommending that it be referred to Committee on Printing with orders to print ——

Mr Hamill moved, ——
To adopt report of committee on Military Affairs ——
Carried. ——

Committee on Incorporations by its Chairman, Mr Ellsworth, reported, ——
H. B. No. 82 entitled "A Bill for an act "to repeal Section 2 of an act to provide

"for the faithful execution of the trust,
"relating to the lower-side of the Town
"of Idaho Springs, and to regulate the
"same and provide for a substitute there-
"for." back to the Senate without amend-
ment.

Mr Ellenwood moved
To refer to Committee of the whole.
Carried.

Reading of Bills

S. B. No. 65 read 1st time

Mr Butlers moved
To recommit H. B. No. 204 entitled "A Bill for
"an act to provide for the locating of the
"Public Lands"
Carried.

Mr Ellenwood moved.
To refer S. B. No. 34, to Committee of the whole
Carried.

Mr De France opposed and took his seat.

Unanimous consent being given.

Committee on Printing by Mr Chairman, Mr Johnson, reported S. B. No. 130, entitled, "A Bill for an act defining the ownership of Water purchased for Mining Purposes" and S. B. No. 153, entitled "A Bill for an act to provide for the Maintenance, Government, and Police of the Penitentiary, also, the mode of appointing Officers and fixing the Salary of the same" back to the Senate Correctly printed, except,

That in S B. No. 153, Sec. 6, Line 3, between "may" and "vest" insert the word "have"

In Sec. 11. Line 7. "Witness" should be "witnesses"

In Sec. 13. Line 4. between "persons or" insert "who have been"

In Sec. 37. Line 3. "has" should be "have"

In Sec. 50. Line 6 between "by Governor" insert "the" and

In Sec. 52. Line 5. between "9" and "1876" insert "A. D"

Mr Hamill moved

To suspend the Rules and

To take up Bills on 1st reading

Carried

S. B. No. 130 read 1st time

S. B. No. 153 read 1st time

Mr Ellsworth moved, That the Senate now resolve itself into the Committee of the Whole on General Files carried.

So the Senate went into Committee of the Whole, with, Mr Ellsworth in the Chair.

The Committee of the Whole rose, The Senate resumed its Session. and The following report was read. Mr President

The Committee of the Whole House have had under consideration, the General Files, Report S. B. No. 34. back to the Senate recommending that it be referred to Committee on State Institutions and Public Buildings — Have made some progress work H. B. No. 56. entitled "A Bill for an act "to establish and provide means for the "support of a department to regulate the-

"Insurance Companies doing business in the "State of Colorado" and ask leave to sit again

L. L. Ellsworth
Chairman

Mr Litchland moved.
To adopt report. and
To grant request
Carried

Mr Brueck moved.
To adjourn
Carried

So at 12 M. the Senate adjourned

Afternoon Session

Senate met at 2 P.M.

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 19th 1877

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has amended and passed S. B. No. 28 relating to Elections, which is herewith transmitted.

Respectfully

W. B. Felker

Chief Clerk of the House.

Mr Randall moved that the Senate now resolve itself into the Committee of the Whole, on. General File

Carried

So the Senate went into Committee of the Whole with Mr Ellsworth in the Chair.

The Committee of the Whole rose. ——
The Senate resumed its Session and ——
The following report was received ——
The President ——

——— The Committee of the Whole House have had under consideration the General File, ——

Have made sundry amendments to ——
H. B. No. 36 and recommend that the same be agreed to, and engrossed and bill filed for 3d reading. ——

Report H. B. No. 257: entitled "A Bill for "an act to submit to the qualified elec- "tors of the State of Colorado, an amend- "ment to Sec. 29 of Art. 6 of the Constitu- "tion of the State of Colorado concerning "the Judicial department" ——— Amended, H. B. No 257 entitled "A Bill for an act "to legalize the proceedings of Probate Courts "of certain Counties therein had in "divorce cases" and H. B. No. 61 entitled "A "Bill for an act to repeal Section 2 of "Chapter 53 of the Revised Statutes of "Colorado, relating to licenses required "to be paid by Peddlers and other persons "and to enact other provisions in lieu "thereof" back to the Senate and recommend that they be filed for 3d reading ———

Hon made Reading amendments to H. B. No. 259 entitled "A Bill for an act concerning the run definit-location of County Lines" and recommend that the same be agreed to, and engrossed and bill filed for 3rd reading.

L. L. Ellsworth

Chairman

Mr Hall moved, To adopt report

Carried.

Unanimous Consent being given Joint Committee on Enrollment by Mr Hall, reported S. B. No. 149, S B. No. 64 and H. B. No 94 Correctly enrolled and signed by the Speaker of the House.

Unanimous Consent being given Committee on Printing by its Chairman, Mr Johnson, reported. S. B. No. 146 back to the Senate correctly printed.

Mr Tilt was read 2nd

The President announced the signing of—

S. B. No. 54, S. B. No. 119 and H. B. No. 96 entitled "A Bill for an act exempting Firemen as such from paying a Poll Tax in the State of Colorado" ———

Unanimous consent being given, ——— Committee on Public Lands by its Chairman, Mr Randall, reported, ———
H. B. No. 2004. back to the Senate with the following amendments to which proposed by the Committee on Finance, Ways and Means viz. In Line 6 after the word "dollars" insert "for the year 1877 and the further sum of "Three Thousand dollars for the year 1878" — In line 7 after the word "thereof" insert the words "of the respective sums in each "year" ———

Mr Butler moved ———
To agree to amendments proposed by Committee on Public Lands ———
Carried. ———

Mr Hamill moved ———
To grant Mr Solomon Bear of absence for one week from next Wednesday. ———
Carried. ———

Hon Hamill moved

To suspend the rules

To take up Bills on 1st reading

Carried

S. B No. 146 entitled "A Bill for an act to "provide for the drainage of Mines and to "regulate the liabilities of Miners, Mine "Owners & Millmen in certain cases, and "to repeal all Territorial Acts on the sub-"ject"

Read 1st time

Hon Butters moved

To take up S. B. No. 28 entitled "A Bill for "an act regulating Elections and repealing "all Territorial acts upon the subject" and Amendments proposed by the House, and To refer the same to Committee on Elections

Carried

Hon Hamill moved

To adjourn until 9 A.M. to-morrow

Carried

So at 5 P.M. the Senate adjourned.

Journal of the Senate

February 20th 1899

General Assembly of Colorado.

Senate
First Session
Tuesday February 20th 1877

Senate met pursuant to adjournment
Lieutenant Governor presiding

Roll Call

Absent Messrs Hamilton and Taylor
(excused) Bates, De France
Gardner, Hamill, Haynes,
Hill Meyer and Rockwell

Quorum present.

Prayer by the Chaplain.

Journal of yesterday read and approved.

Messrs De France, Gardner, Haynes,
and Hill appeared and took
their seats

Reports from Standing Committees.

Committee on Enrollment by its Chairman Mr Johnson reported S.B.# 118 entitled "A Bill for an Act "to preserve the public health" back to the Senate correctly enrolled.

Committee on Agriculture and Manufactures by its Chairman Mr Gardner reported H.B.# 196 entitled "A Bill for an Act "to repeal an Act entitled 'An Act "providing for the fencing of Lands "where Grass is first and first in stack "in Knox Aroostook County'" back to the Senate without recommendation.

Also

S.B.# 30 entitled "A Bill for an Act "for the protection of wild Game "and Insectivorous Birds" back to the Senate recommending that the Bill be referred to Committee of Conference.

Committee on Engrossment by its Chairman Mr Maxwell reported H.B.# 259 entitled "A Bill for an "Act concerning the same definite

"Location of County lines" and
H. B. No 204 entitled "A Bill for an Act
"to provide for the locating of the public
"Lands."
back to the Senate with Amendments
Correctly engrossed.

Committee on Finance, Ways and Means
by its Chairman Mr Butler reported
H. B. No 91 entitled "A Bill for an Act
"making an Appropriation for Insane
"Paupers"
back to the Senate with sundry Amend-
ments.

Committee on Engrossment by its
Chairman Mr Maxwell reported
S. B. No 154 entitled "A Bill for an Act
"to repeal the Acts concerning Jails
"and to enact other laws in place thereof"
And
S. B. No 43 entitled "A Bill for an Act
"to provide for the Selection, location,
"Appraisal, Sale and Leasing of State
"Lands"
back to the Senate correctly engrossed.

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver Feby 19th 1877

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your
Honorable Body that the House has passed
S. B. No 8. has concurred and passed
S. B. No 121 And has passed
H. B. No 238.
All of which are herewith transmitted.
Respectfully
W. B. Felton
Chief Clerk of the House.

Mr Webster moved
Pre refer H. B. No 91 to Committee on Finance
Ways and Means with instructions to
report a division of appropriation for the
years 1877 and 1878
Carried.

Mr Gardner moved
To adopt report of Committee on Agriculture
And Manufactures on S. B. No 36
Carried

Mr Gardner moved

That Messrs Webster and Ellsworth be
appointed on Committee of Conference on
S.B. No 30 on part of Senate
Carried.

Mr Webster moved
That the Senate concur in Amendments
proposed by the House to
S.B. No 121 entitled "A Bill for an Act
"Regulating the Practice in case of
"preliminary examinations before Justices
"of the Peace while acting as Conservators
"of the Peace"

Ayes and Noes called with following
Result

Ayes Messrs Barela, Bennett, Butters,
Chacon, Clelland, Ellsworth,
Gardner, Henson, Hill, Maxwell
Meldrum, Moynahan and Randall,
Saunders & Webster 15

Noes None.

Absent and not voting
Messrs Bates, De France, Gawron,
Hall, Hamill, Hamilton,
Hayne, Johnson, Meyer,

In the Senate concurred in such amendment

Reading of Bills

A. B. No 238 entitled "A Bill for an Act "providing for the sale of lots and parcels "of land in the city of Central and to "repeal Sections 2 and 3 of an Act for the "relief of the inhabitants of the City of "Central"
Read 1st time

S. B. No 153 entitled "A Bill for an Act "to provide for the maintenance, Govern- "ment and Police of the Penitentiary "also the mode of appointing officers "and fixing the Salary of the Same."
Read 2nd time a
Referred to Committee of the Whole

S. B. No 130 entitled" A Bill for an Act "defining the ownership of water ponds and "for mining purposes"
Read 2nd time a
Referred to Committee of the Whole.

S. B. No 66 entitled "A Bill for an act
"concerning County Buildings"
Read 2nd time.

Mr Hansen moved
To refer to Committee on Judiciary
Carried.

Mr Haynes appeared and took his seat.

S. B. No 146 entitled "A Bill for an Act to
"provide for the drainage of mines
"and to regulate the liabilities of miners
"mine owners and mill men in certain
"cases and to repeal all Territorial Acts
"on the subject"
Read 2nd time
Referred to Committee of the Whole.

S. B. No 43
Read 3d time
Passed by following vote

Ayes Messrs Barla, Bennett Butters,
Chacon, De Franco, Ellsworth
Gardner Janssen, Hall Haynes
Hyers, Hill, Johnson, Maxwell
Meldrum, Murphy Randall

Senator Webster 19

Noes Ayes

Absent and not voting
Messrs Bates, Clelland, Hamill,
Hamilton, Meyer, Rockwell,
and Taylor

Bill agreed to

S. B. No. 154
Read 3d time and
Passed by following vote

Ayes Messrs Banks, Barnett Butler,
Chace, Clelland, De Prance,
Ellsworth, Garlock, Ganzzin, Hall,
Haynes, Herron, Hill, Johnson,
Maxwell, Meldrum, Moynahan,
Saunders and Webster 19

Noes Ayes

Absent and not voting
Messrs Bates, Hamill, Hamilton,
Meyer, Randall Rockwell
and Taylor 7

Bill agreed to

Amended H. B. No 25 entitled "A Bill
"for an Act to legalize the proceedings
"of Probate Courts of certain Counties
"heretofore had in divorce cases"
Read 3d time
Further Action postponed.

H. B. No 176
Read 3d time and
Passed by the following vote

Ayes Messrs Banda, Bennet Button,
Chase, Clelland, De Branca,
Ellsworth, Gardner, Gonzeau,
Hall, Hayne, Heron, Hill,
Johnson, Maxwell Meldrum,
Moynahan & Saunders 18

Noes None

Absent and not voting
Messrs Bates Bissell, Hamilton,
Meyer, Randall, Rockwell
Taylor & Webster 8

Bill agreed to.

H. B. No. 204
Read 3d time and
Passed by following vote

Ayes Messrs Banta, Bennett, Butters,
Chacon, Clelland, Ellsworth,
Gardner, Janssen, Hall, Haynes,
Hansen, Hill, Johnson, Maxwell
Meldrum, Moynahan, Saunders
Yeloten 18

Noes Sims

Absent and not voting
Messrs Bates, De Francis, Hamill,
Hamilton, Meyer, Randall
Rockwell, and Taylor 8

~~Title agreed to~~
Mr Butters moved
To amend the Title so as to make it
read "inspecting, entering and locating"
Carried
Title Agreed to as Amended.

H. B. No 251 entitled "A Bill for an Act
"to submit to the qualified Electors of the
"State of Colorado an amendment to

"Section 29 of Article 6 of the Constitution
"of the State of Colorado, concerning the
"Judicial Department."
Read 3d time and
Passed by the following vote

Ayes Messrs Baela, Bennet, Butters,
Chacon, Clelland, De France,
Ellsworth, Gardner, Ganzerin,
Hall, Haynes, Hemen, Hill,
Johnson, Maxwell, Meldgum,
Moynahan, Randall, Saunders
and Webster 20

Noes None

Absent and not voting
Messrs Bates, Hamill, Hamilton,
Meyer, Rockwell and Taylor 6

Bill agreed to

H.B. # 259
Read 3d time
Passed by following vote

Ayes Messrs Baela, Bennet, Butters,
Chacon, Clelland, De France

Ellsworth, Gardner, Hall, Wayne,
Noyes, Hill, Johnson, Maxwell
Meldrum, Moynahan, Randall,
Saunders (and) Webster 19

Nos Nine

Absent and not voting
Messrs Bates, Dawson, Hamlin,
Hamilton, Hayes, Rockwell
and Taylor 7

Bill agreed to

Committee on Finance, Ways and Means
by its Chairman Mr Butler reported
H.B No 71 back to the Senate with
sundry amendments to wit:
In Sec 1. line 1 strike out "Five" and
insert "Six"
In line 4 after "appropriated" insert
"for the year 1877 and the further sum
"of Three Thousand Dollars or so much
"thereof as may be necessary for the
"year 1878"

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver February 20th 1897

To the Honorable
The Senate of the State of Colorado.
I am instructed to inform
your Honorable Body that the House has
Amended and passed
S. B. No 32 and has passed
H. B. No 246 and H. B. No 205
All of which are herewith transmitted
Respectfully
W. B. Felton
Chief Clerk of the House

Mr Butters moved
To amend report of Committee on Finance
Ways and Means on
H. B. No 91 by inserting 6000 instead
of 5000.

Mr Maynahan moved
To amend by making appropriation for
1897 $6500 and for
1898 $5000.

Mr De France moved
To refer H. B. No 91 to Committee on

Judiciary
Carried.

An unanimous consent being Given
Joint Committee on Enrollment by Mr
Wall reported
H. B # 94 (an)
Senate Bills # 49 (an) 54 presented to His
Excellency the Governor for his approval
at 5 1/2 P. M. Feby 19th.

An unanimous Consent being Given
Committee on Elections by its Chairman
Mr Hayne reported
S. B # 28 "concerning Elections" and
Amendments proposed by the House thereto
back to the Senate recommending that
such amendments be considered by the
Senate separately.

Mr Hayne moved
To adopt report
Carried.

Mr Randall moved
To adjourn
Carried

So at 12 o'clock & 15 minutes the Senate adjourned.

Afternoon Session.

Senate met at 2 P. M

Mr Ellsworth moved
To suspend the rules and
Take up Bills on 1st reading
Carried

H. B. No 205 entitled "A Bill for an Act
"for the purpose of paying the expenses
"of the State Penitentiary
Read 1st time.

H. B. No 246 entitled "A Bill for an Act
"concerning Irrigation."
Read 1st time.

Mr Ellsworth moved
To refer to Committee on Irrigation.
Carried.

Messrs Bates and Adams appeared
And took their seats

Mr Ellsworth moved
To take up
Senate Bills No 32 and 28 And amend-

ments proposed by the House thereto.
Carried.

S.B.No 32 entitled "A Bill for an Act
"to establish a State Board of Agriculture
"and to define its duties" taken up.

Mr Meldrum moved
To concur in Amendments proposed by
the House to
S.B.No 32.
Ayes and Noes called with following
Result

Ayes Messrs Barda Bates, Bennet
Bitters, Chacon, Clelland-DeFranz,
Ellsworth Gardner, Hall, Haynes,
Henry, Hill, Johnson, Maxwell,
Meldrum Monahan Randall,
Saunders & Wilson 20.

Noes None

Absent and not voting
Messrs Dawson, Hamill,
Hamilton Meyer, Rockwell
and Taylor 6

So the Senate concurred in each Amendment

S. B. No 28 entitled "A Bill for an Act "concerning Elections and repealing "all Territorial Acts upon the subject" Taken up.

Mr Butters moved
To concur in amendments proposed by the House to Sections 7. 9. 21. 27. 36. 50
72. 73. 116.
2nd Amendment to Section 54
1st " " " 125 am
new Section to immediately precede
last Section of Bill

Ayes and Noes called with following
result
Ayes Messrs Barela, Bennet, Butters,
Chaves, Ellsworth, Gardner
Hayne, Heron, Johnson,
Maxwell, Meldrum, Moynahan,
Randall, Saunders & Webster 15

Noes Messrs Clelland & Hill 2.

Absent and not voting

Messrs Bates, Dennis, Jameson,
Hall, Mannill, Hamilton,
Meyer, Rockwell & Taylor —

So the Senate concurred in said amend-
ments

Mr Butler moved
To amend House Amendment to Sec 23
by adding to last word thereof the words
"if practicable"
Carried

Mr Butler moved
To concur in House amendment to
Sec. 23 as amended.
Ayes and noes called with following
result —

Ayes Messrs Bennet, Butler, Chace,
Ellsworth, Gardner, Hall
Haynes, Herron, Hill,
Johnson, Maxwell, Meldrum,
Moynahan Randall Saunders
and Webster 16

Noes Messrs Baker & Clelland 2.

Absent and not voting
Messrs Bates, DeFrance, Janoski,
Hamill, Hamilton, Meyer,
Rockwell & Taylor — 8

So the Senate concurred in such amendment.

Message from the House

State of Colorado
Chamber of the House of Representatives.
Denver February 20 - 1879

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has passed H. B's No 254 and 270 has receded from its amendments to S. B No 30 not concurred in by the Senate and refuses to concur in the Senates amendments to
H. B No 204.
H. B's No 204. 254 & 270 and
S. B No 30 are herewith transmitted.

Respectfully
H. B. Felton
Chief Clerk of the House.

Mr Haynes moved
To concur in
1st Amendment to Section 54 &
1st " " 56
Ayes and Noes called with the following result

Ayes Messrs De Francu & Hill 2

Noes Messrs Barda, Bates, Bennet
Butters, Chacon, Clelland, Ellsworth
Gardner, Hall, Haynes, Henson,
Johnson, Maxwell, Meldrum,
Moynahan, Randall Saunders
and Webster 18

Absent & Not voting
Janssen, Hamill, Hamilton,
Rockwell, Meyer & Taylor 6

So the Senate refused to concur in such
Amendments.

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver February 20th 1877
To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House requests the return of S.B. No 30

Respectfully
W. B. Felton
Chief Clerk of the House.

Mr Butters moved
That the Senate refuse to concur in new Section proposed by the House to S. B. No 28 and numbered Sec. 66.
Ayes and Noes called with following result.

Ayes Messrs Baird, Bennet Butters, Chacon, De France, Hall Hayes, Hewson, Hill, Johnson, Randall And Webster 12

Noes Messrs Clelland, Ellsworth, Gardner, Maxwell, Muldrum, Moynahan, And Saunders 7

Absent and not voting
Messrs Bates, Gansevin, Hamill, Hamilton, Meyer, Rockwell and Taylor 7

So the Senate refused to concur in adoption of such Section.

Mr Butters moved
To amend Assn amendment to Sec. 68 by adding to last line thereof the words "of over four horns"
Carried.

Mr Butters moved
To concur in Assn amendment as so amended
Ayes and Noes called with following result

Ayes Bennett, Butters, Chacon, Clelland, Ellsworth, Gardner, Haynes, Hensen, Hill, Johnson, Maxwell, Meldrum, Randall, Saunders and Webster 15

Noes Messrs Bacich & Moynahan 2

Absent and not voting
Messrs Bates, Dawson, Hall, DeFrance Hamill, Hamilton, Meyer Rockwell and Taylor 9

So the Senate concurred in such amendment.

Mr Haynes moved
To concur in 1st Amendment to Sec 104.
Ayes and Noes called with following result.

Ayes Messrs Banks, Bennet, Butters
Chace, Clelland, Ellsworth, Gardner,
Hall, Haynes, Henson, Hill, Johnson,
Maxwell, Meldrum Moynahan
Saunders and Webster 19

Noes. None.

Absent and not voting
Messrs Bates, De France, Jameson,
Hamill, Hamilton, Meyer,
Randall, Rockwell & Taylor 9

So the Senate refused to concur in such
Amendment.

Mr Butters moved
To concur 1st Amdt to Section 109
Ayes and Noes called with following result

Ayes Messrs Bennet, Butters, Chace, Ells-
worth, Gardner, Haynes, Henson, Hill,
Johnson, Maxwell, Meldrum Moynahan.
Randall Saunders & Webster 15

Noes Messrs Barda, Clelland & De Bruce 3

Absent and not voting
Messrs Bates, Gamewin, Hall, Hamill,
Hamilton, Meyer, Rockwell & Taylor - 8

So the Senate concurred in such amendment.

Mr Butters moved
To concur in 2nd & 3d amendments to
Sec: 125
Ayes and Noes called with following result

Ayes Messrs Bennet, Butters, Chacon, Ellsworth Gardner Haynes, Hanson, Hill, Johnson, Maxwell, Meldrum Morgenthau, Randall, Saunders & Webster 15

Noes Messrs Barda, Clelland, De Bruce
And Gamewin 4

Absent and not voting
Messrs Bates, Hall, Hamill, Hamilton Meyer Rockwell & Taylor 7

So the Senate concurred in such amendments.

Mr Butters moved

Motion of H. B. No 204
Carried

Mr Butters moved
That the Senate insist on its Amendments
to H. B. No 204
Carried

Mr Butters moved
To suspend the rules &c.
Take up Bills on 1st reading
Carried.

H. B. No 254 entitled "A Bill for an act to
"Amend Section 11 of Chapter 72 of the Revised
"Statutes of Colorado
Read 1st time

H. B. No 270 entitled "A Bill for an Act
"to amend an Act to provide for the pay-
"ment of Stock killed by Railroads and
"Railway Companies" Approved February
"9th 1892"
Read 1st time.

Mr Webster moved
That S. B. No 30 be returned to the House
as requested.

Carried.

Unanimous Consent being given

Committee on Enrollment by its Chair-
man Mr Johnson reported
Senate Bills #135 and 121 back to the Senate.
correctly enrolled.

Committee on Printing by its Chairman
Mr Johnson reported
Senate Amendments to H.B #89 back
to the Senate correctly printed except that
On Page 3 line 3 change the third word
"by" to "be." and
on same page line 18 the word "vacancies"
should be "variances."

Committee on Incorporations by its Chair-
man Mr. Ellsworth reported
S.B. #45 back to the Senate with sundry
Amendments and ask that the Amendments
be referred to Committee on printing for
the purpose of being printed.

Mr Ellsworth moved
To adopt report of Committee on Incorporations
Carried.

Mr Butters moved
that the Senate now resolve itself into
the Committee of the Whole on
General Bills
Carried

So the Senate went into Committee of
the Whole with
Mr Butters in the Chair

The Committee of the Whole rose and
The Senate resumed its Session

Mr Butters moved
To adjourn
Lost

Mr Ellsworth moved
To adjourn until 9 a. m. to morrow
Carried.

So at 5-15 the Senate adjourned.

Journal of the Senate

February 21 - 1877

General Assembly of Colorado

Senate

First Session

Wednesday February 21st 1877.

Senate met pursuant to adjournment

Lieutenant Governor presiding.

Roll Call

Absent Messrs Hamilton (excused)
Barela, Bennet, Chaun, De Brana,
Gardner, Meldrum, Meyer, Morgan-
han, Rockwell, Taylor and Webster,

Quorum present

Prayer by the Chaplain

Journal of yesterday read and approved

Messrs Barela, Chaun & Gardner appeared
and took their seats

Committee on Engrossment by its
Chairman Mr Maxwell reported

H. B. # 36 back to the Senate with the Amendments correctly engrossed

Messrs Meldrum and Moynahan appeared and took their seats.

Committee on Finance, Ways and Means by its Chairman Mr Butters reported S. B. # 129 entitled "A Bill for an Act concerning the State Board of Health." back to the Senate with recommendation Ought to Pass.

Mr Ellsworth moved
That ~~the Senate refuse to agree~~ the report of Committee on Finance, Ways and Means be so amended as to read
That S. B. # 129 be placed on file for 2nd reading
Carried

Messrs Bennet and Webster appeared and took their seats.

Committee on Immigration by its Chairman Mr Saunders presented "Report on Governors message in relation to State Board of Health with sundry

"recommendations."

Committee on Finance, Ways and Means by its Chairman Mr Butters reported H. B. No 44 entitled "A Bill for an Act "to provide for the assessment and collection of revenue and to repeal certain "Acts in relation thereto."
back to the Senate with Amendments

Mr Butters moved
To refer H. B. No 44 with Amendments to Committee of the Whole
Carried.

Mr Ellsworth moved
To adopt report of Committee on Finance, Ways and Means on S. B. No 129 as amended.
Carried.

Reading of Bills.

S. B. No 129
Read 2nd time

Mr Ellsworth moved
To refer to Committee on Printing with

Order to print
Carried.

H. B. # 238 entitled "A Bill for an Act
"providing for the sale of lots and par-
"cels of land in the City of Central and
"to repeal Sections 2 and 3 of an Act
"for the relief of the inhabitants of the
"City of Central approved Feby 1st 1876
Read 2nd time on
Referred to Committee of the Whole

H. B. # 205 entitled "A Bill for an
"Act for the purpose of paying the
"Expenses of the State Penitentiary"
Read 2nd time on
Referred to Committee of the Whole

H. B. # 254 entitled "A Bill for an
"Act to amend Section 11 of Chapter 72
"of the Revised Statutes of Colorado
"Read 2nd time on
Referred to Committee of the Whole
Mr De France appeared and took his seat
H. B. # 270 entitled "A Bill for an
"Act to amend an Act to provide for the
"payment of Stock Killed by Railroads
"and Railway Companies approved

"February 9 1872"
Read 2nd time.

Mr Bates moved
To refer to Committee on Incorporations

Mr Button moved
To amend by referring
H. B No 270 to Committee on Public
Lands

Mr Hamilton moved
To amend by referring
H. B No 270 to Committee on Mines
and Mining
Division called for with following result
Ayes 6
Noes 12
So the amendment (proposed by Mr Hamilton) was
Lost

The question recurring on Amendment
proposed by Mr Button to refer
H. B No 270 to Committee on Public
Lands
Ayes and Noes were called for with
following result

Ayes Messrs Buttes, Gardner, Haynes, Meldrum, Randall & Webster 6

Noes. Messrs Barda, Bates, Bennet (Chacon, Clelland, De Vance Ellsworth, Janssen, Hamill Hanson, Hill, Johnson, Maxwell Moynahan, & Saunders. 15

Absent and not voting
Messrs Hall, Hamilton, Meyer, Rockwell and Taylor 5

So the amendment was
Lost.

The question recurring on original motion proposed by Mr Buttes
To refer to Committee on Incorporations
Ayes and Noes were called with following Result.

Ayes Messrs Barda, Bates Bennet Clelland, Ellsworth, Janssen, Hamill, Haynes, Hill, Johnson, Maxwell, Moynahan, and Saunders 13

Nos Messrs Butters, Chacon, Garner,
Hewson, Meldrum, Randall
& Webster 7

Absent - and not voting
Messrs DeFrance, Hall, Hamilton,
Meyer, Rockwell and Taylor 6

S. B. No 270 was referred to
Committee on Incorporations.

Mr Rockwell appeared and took his
seat.

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver Feby 21st 1877

To the Honorable
The Senate of the Senate of Colorado
I am instructed to inform
Your Honorable Body that the House
has concurred in the Senate's amend-
ments to the House amendments to
Sections 23, 68 of S. B. No 28
has receded from its amendments
to Sections 54 & 56 and insists on

its amendments to Section 104 and upon the insertion of the proposed Section to be numbered A. 66

The concurrence of the Senate to Sections 66 and 104 is requested.

The House has concurred in the Senate's amendments to H. B. # 204.

S. B. # 28 is herewith transmitted

Respectfully

W. B. Felton
Chief Clerk of the House

H. B. # 36 entitled "A Bill for an act "to establish and to provide means "for the support of a department "to regulate Insurance Companies "doing business in the State of "Colorado"
taken up.

No amendments being given
Mr Hamill moved
To re-instate all of Section 26 of
H. B. # 36 stricken out by the Senate's
amendment to and including the
word "hereby"
Carried.

Mr Annis no consent being given
Mr Maxwell moved
To prefix the following to Sec 10. of
H. B. # 36 as first part of said Section.
"No Insurance Company shall be
"authorized to transact an Insurance
"business within the limits of this
"State without having first filed with
"the Secretary of State an Article
"of acceptance of all the provisions
"of this Act and no license shall issue
"to any agent of any such Company
"until after the filing of such acceptance
"by said Company and"
Carried

H. B # 36
Read 3d time.
Ayes and Noes called with following
Result

Ayes Messrs Bates, Bennet Chacon,
Gaylnor, Johnson Maxwell
Meldrum Moynahan Rock-
well and Saunders 10

Noes Messrs Barda, Butters Clelland
De Blanc, Ellsworth, Janesin

Hall, Hamill, Haynis, Henry,
Hill, Randall & Webster 13

Absent and not voting
Messrs Hamilton, Meyer and
Taylor 3

So the Bill was
Lost.

Message from the House

State of Colorado
Chamber of the House of Representatives
Denver Feby 21st 1899.

To the Honorable
The Senate of the State of Colorado
I am instructed to inform
your Honorable Body that the House
has re-considered its action of yester-
day relative to its amendments to
S. B. No 30 and has appointed
Messrs Pierce, Kittredge and Stokes
on the part of the House upon the
conference committee requested by
the Senate

Respectfully
W. B. Felton

Chief Clerk of the House.

Unanimous Consent being given
Joint Committee on Enrollments by
Mr Hall reported
Senate Bills Nos 118, 121 & 135
back to the Senate correctly enrolled and
signed by the Speaker of the House.

The Titles were read
The President announced the signing of
the following Bills

S. B No 118 entitled "An Act to preserve
"the public health"
S. B No 121 entitled "An Act regulating
"the practice in case of preliminary
"examinations before Justices of the
"Peace while acting as conservators
"of the peace."
S. B No 135 entitled "An Act for the
"relief of Las Animas County

Mr Webster moved
To concur in Amendment proposed
by the House to Sec 104 and in proposed
new Section 66 to
S. B No 98 "concerning Elections."

(Ayes and Noes called with following
result

Ayes Messrs Clelland, De France and
Hill 3

Noes Messrs Barela, Bennett, Butters
Chacon, Ellsworth, Gardner
Jauregui, Hannell, Haynes,
Hayes, Johnson, Maxwell,
Maynard, Randall, Sanders
and Wesson 16

Absent and not voting
Messrs Bates, Hall, Hamilton
Meldrum, Meyer, Rockwell
and Taylor 7

So the Senate refused to concur in
such amendments.

Mr. Haynes moved
That request Committee of Conference on
S.B. No 28
Carried.

Unanimous consent being given
Committee on Enrollment by its

Chairman Mr Johnson reported
S. B. No 44 entitled "A Bill for an Act
"to prescribe certain powers and duties
"of the Officers of the Executive Depart-
"ment, and certain rules in relation
"to the fiscal affairs of the State"
back from the Senate correctly enrolled.

Mr Baula moved
To grant Mr Taylor leave of absence
until monday next
Carried

Mr Hamilton moved
To adjourn
Carried.

At 12 o'clock and 20 minutes the
Senate adjourned.

Fifteenth Session.

Senate met at 2 P. M.

Message from the Governor

State of Colorado
Executive Department
Denver February 21—1877

Hon Lafayette Head
President of the Senate
Sir

I have the Honor to in-
form you that I have signed
S. (B) # 119 entitled "An Act to provide
"for the payment of the balance due
"A. R. Wyer and C. Dominguez for
"~~the~~ translating ~~the~~ the Constitution of
"Colorado into the Spanish Language"
and)

S. B # 54 entitled "An Act to provide
"for the public printing, and publishing
"and distribution of the laws
And have filed the same with the
Secretary of State.

Very Respectfully
John L. Routt
Governor

Mr Haynes moved
To take up amendments to
N.B. A. 89 "Code of Procedure" and
consider them separately
Carried

Mr Haynes moved
To amend report of Committee of the
Whole proposing certain amendments
to N.B.A. 89 by striking out
Amendment to Sec 55 "
" "repealing Chap 2. of the
"Revised Statutes"
" "repealing certiorari act of
"Revised Statutes pages 108 to 111
" "repealing certiorari Act
" of 1872.
" "repealing Certiorari Act for
"Bonaventure County"
Carried.

Mr De Blois moved
To amend report of the Committee of the
Whole proposing a new Section to be
inserted after Section 120 of N.B.A. 89
by striking out all after 12th line
of such proposed new Section
Lost.

Mr De France moved
To amend report of Committee of the
Whole proposing amendments to
H. B. No 89 by adding to such report
And to be inserted in lieu of Section 444
of such Bill the following
"It being of great importance to
the business interests of this State now
pending and daily accruing and to
accrue and hereafter to be pending
in the courts of Record of this State that
the law of Pleadings and Procedure
should be a carefully considered and
well digested system and that time
should elapse for the people, the attorneys
And the Courts to read and consider
And understand the effect of the repeal
of all existing laws upon the subject
of this Act and the sufficiency of this
Act to take the place of the said Acts
And system so repealed it is considered
by this General Assembly that an
Emergency exists; and therefore

~~A. D. Pearce moved~~

To amend report of Committee of the Whole proposing amendments to A. B. # 89 by adding to such report and to be inserted in lieu of Sec # 44 of such Bill the following.

" This Act shall take effect on the first day of January A. D. 1878

Provided

That if a majority of the votes to be cast as hereinafter provided shall be "Code 1879" then this Act shall take effect on the first day of March A. D. 1879.

The question whether this Act shall take effect on the first day of January 1878 or on the first day of March 1879 shall be submitted to a vote of the qualified Electors of this State at the next General Election to be held in this State.

Those Electors voting on such proposition who desire this Act to take effect on the first day of January A. D. 1878 shall have written or printed on their ballots the words and figures "Code 1878" and those Electors voting on said proposition who desire this

Act not to take effect until March first 1879 shall have written or printed on their ballots the words and figures "Code 1879"

The votes cast upon said proposition shall be returned and canvassed in the same manner and within the same time as votes cast for members of the General Assembly of this State

If a majority of the votes cast upon such proposition shall contain the words and figures "Code 1879" then this Act shall not take effect on the first day of January A. D. 1878

Ayes and Noes called and
Lost by following vote

Ayes Messrs Barda, Bates, Bennet
Clelland De France, Ellsworth,
And Hill 7

Noes Messrs Butler, Cham, Gardner,
Jansen, Hall, Hamill,
Hayne, Horem Meldrum,
Moynahan Randall Saunders
And Wheeler 13

Absent and not voting

Absent and not voting
Messrs Hamilton, Johnson
Maxwell Meyer Rockwell
and Taylor 6

Mr De France moved
To amend Sec. 444 by striking out the words
"first day of October A. D. 1897" and
insert in lieu thereof the words "
"first day of January 1898."

Mr Hamill moved
To amend by striking out of Section 444
the words "on and after the first day of
"October A. D. 1897" and insert in lieu
thereof the words "ninety days from
and after its passage."
Ayes and Noes called with following
Result

Ayes Messrs Bennet Chacon, De France,
Ellsworth, Hamill 5

Noes Messrs Bauda, Bates, Butters,
Clelland, Gardner, Janssen
Hall, Haynie, Henon, Hill,
Meldrum, Moynahan Randall
Saunders and Webster 15

Absent and not voting
Messrs Hamilton, Johnson,
Maxwell, Meyer, Rockwell
and Taylor 6

So the amendment was
Lost.

The Question recurring on the original
motion
Ayes and Noes were called with follow-
ing result

Ayes. Messrs Banks Bates, Bennett
Clelland, de Franco, Gamerin,
Hamill, Hill, Moynahan 9

Noes Messrs Butters, Chacon, Ells-
worth, Gardner, Hall Haynes,
Henani, Johnson, Meldrum,
Randall, Saunders & Webster 12

Absent and not voting
Messrs Hamilton, Maxwell, Meyer,
Rockwell and Taylor 5

So the motion was
Lost.

Mr Butters moved
To agree to Amendments proposed by
Committee of the Whole as amended
by the Senate.
Ayes and Noes called with following
Result

Ayes Messrs Butters, Chaun, Ellsworth,
Gadna, Janssen, Hall, Harrill,
Hayne, Hewen, Johnson, Meldrum.
Norquist Randall Saunders
And Webster 15

Noes Messrs Baula, Bates, Bennet
Clelland, DeFrance & Hill 6.

Absent and not voting
Messrs Hamilton, Maxwell, Meyer,
Rockwell and Taylor 5

So the Amendments were agreed to.

Mr Ellsworth moved
To place H. B. 89 on 3d reading
and final passage
Carried

Unanimous consent being granted.

Mr Saunders moved
To request from the House the return of
H. B. No. 36.
Carried

H. B. No. 89
Read 3d time & and including Sec. 100.

Mr Haynes moved
To adjourn until 7 P. M.
Carried

So at 5 45 P. M. the Senate adjourned

Evening Session

Senate met at 7 P. M.

Mr Haynes moved
To proceed with reading of
H. B. Nr 89
Carried.

3d reading of H. B Nr 89 finished.

The Question recurring on the passage
of the Bill
Ayes and Noes were called with following
result.

Ayes Messrs Butler, Chace, Gardner,
Gaines, Hall, Hamill, Haynes,
Hixon, Maxwell, Meldrum,
Moynahan, Randall, Saunders &
Webster 14

Noes Messrs Baird, Bennet, Clelland
Ellsworth, & Hill 5

Absent and not voting
Messrs Bates, De Pierce, Hamilton
Johnson, Meyer, Rockwell & Taylor 7

So the Bill passed.
Bille agreed to.

Mr Butters moved
To re-consider the vote whereby the bill
was passed and to lay that motion on
the Table
Ayes and Noes called with following
Result

Ayes Messrs Butters, Chacon, Gardner,
Gaussin, Hall, Hamill Hayne,
Hanson, Maxwell, Meldrum,
Moynahan Randall Saunders
and Webster 14

Noes Messrs Barda, Bennet Clelland
Ellsworth and Hill 5

Absent and not voting
Messrs Bates, De France, Hamil-
ton Johnson, Mayer Rockwell
& Taylor 7

So the motion was
Carried.

Mr Henson moved

To grant leave of absence to Mr Randall until monday next.
Carried

Mr Ellsworth moved
To adjourn

Mr Jameson moved
To adjourn until Friday at 9 a. m.
Amendment proposed by Mr Jameson
ruled out of order

The Question occurring on motion
of Mr Ellsworth
Ayes and Noes were called with following
Result—

Ayes Messrs Barela, Bennet, Button,
Chace, Clelland Ellsworth,
Gardner, Hall, Anson, Hill
Maxwell, Meldrum, Randall
Sanders & Webster 15

Noes Messrs Jamesin, Hamill, Haynes
and Morgnahan 4

Absent and not voting
Messrs Bates, De Prance, Hamilton

Johnson, Meyer, Rockwell,
& Taylor

So the motion was carried &
At 9 15 P. M. the Senate adjourned.

Journal of the Senate

February 22nd 1877.

Approved.

General Assembly of Colorado.

Senate
First Session
Thursday, February 22nd A.D. 1877

Senate met pursuant to adjournment.

Lieutenant Governor presiding

Roll Call

Absent—Messrs Hamilton, Johnson, Randall and Taylor (excused) Bennet, De France, Hall, Haynes Meldrum, Meyer, Rockwell and Webber

Journal of yesterday read and approved.

Mr Webber appeared and took his seat.

Mr Ellenwood moved

That the regular order of business be dispensed with—and

That the Senate now resolve itself into the Committee of the whole on General File

Carried

So the Senate went into Committee of the whole—with Mr Mansell in the Chair

The Committee of the Whole rose.

The Senate resumed its Session—and

The following report was read

Mr President

The Committee of the whole House have had under consideration the General File

Have made some progress with H. R. No. 44 entitled "A Bill for an act providing for "Assessment and Collection of Revenue" and "repealing certain acts relating thereto" and ask leave to sit again

L. P. Mansell

Clerk

Mr. Ellsworth moved
to recede & report
to grant request
Lost

Messrs Bennet, De France, Hall, Mel-
drum, & Webber appeared and took their
seats

Mr Ellsworth moved
to adjourn
Carried

So at 12 M the Senate adjourned

Afternoon Session

Senate met at 2 P. M.

Mr Bretton moved that the Senate now resolve itself into the Committee of the whole on General File carried

So the Senate went into Committee of the whole with Mr Maxwell in the Chair.

The Committee of the whole rose and the Senate resumed its session and

The following report was read

Mr President

The Committee of the whole House have had under consideration the General File and have made further progress with H. B. No. 41 and ask leave to sit again

L. P. Maxwell

Chairman

Mr Ellsworth moved to receive the report and carried.

To grant request carried.

Mr Ellsworth offered the following
Preamble and Resolution - viz.

"Inasmuch as this is the Anniversary
"of the Birthday of the Father of our
"Country, and as a mark of respect
"for his memory, it is ordered that
"an Emergency exists, as contemplat-
"ed by that great and good document
"the Constitution of Colorado, therefore, -
"Resolved

" ——— That we adjourn until to-mor-
"row at 9 O'clock"

Mr Ellsworth moved
To adopt the Resolution

Mr Moynahan moved
To lay resolution on the Table
Carried

Mr Butler moved
To adjourn until 9 A.M. to-morrow
Carried

So at 5-30 P.M. the Senate adjourned.

Journal of the Senate

February 23d 1877

Approved.

General Assembly of Colorado

Senate

First Session

Friday, February 23d 1877

Senate met pursuant to adjournment.

Lieutenant Governor presiding

Roll Call

Absent—Messrs Hamilton, Johnson, Randall, and Taylor (excused) Bennet, Dr. France, Hanson, Hamill, Meyer, Rockwell, and Webster

Quorum present

Prayer by the Chaplain

Mr. Hanson appeared and took his seat.

Journal of yesterday read and approved

Joint Committee on Enrollment by Mr Hall reported House Bills No 176, 251 and 259 correctly enrolled and signed by the Speaker of the House.

The Title was read and the President announced the signing of H. B. No. 176, entitled "A Bill for an act "to repeal an act, entitled "An act pro- "viding for the fencing of Lands where "grass is cut and put in stacks, in Lar "Arimas County"

H. B. No. 251 entitled "A Bill for an act "to submit to the qualified Electors of "the State of Colorado, an amendment to "Section 29 of Article 6, of the Constitution "of the State of Colorado concerning the Judicial Department" and

H. B. No. 259 entitled "A Bill for an act "Concerning the more definite location of "County Lines."

Mr Roblin appeared and took his seat.

The Title was read and

The President announced the signing of S. B. No. 44 entitled "A Bill for an act

"to prescribe certain Powers and duties
"of the Officers of the Executive depart-
"ment, and certain rules in relation to
"the Fiscal affairs of the State" ——

Mr Ellsworth moved. ——
That the Senate now resolve itself in-
to the Committee of the whole on Gen-
eral Fil ——
bearing ——

So the Senate went into the Committee
of the whole with ——
Mr Meldrum in the Chair ——

The Committee of the whole rose, and ——
The Senate resumed its session for the
purpose of receiving the following ——

—— Messages from the House ——

State of Colorado ——
Chamber of the House of Representatives ——
Denver, Feby. 21st 1877. ——
To the Honorable ——
The Senate of the State of Colorado ——

I am instructed to inform your Honorable Body that Messrs Phillips Morrison and Irwin have been appointed on the part of the House on the Conference Committee on S.B. No 28, relating to Elections.

Respectfully

N.B. Fellows

Chief Clerk of the House.

State of Colorado

Chamber of the House of Representatives,

Denver, Feby 23rd 1877.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House requests the return of S. B. No. 8.

Upon the request of your Honorable Body H. B. No. 36 is herewith returned.

Respectfully

N. B. Fellows

Chief Clerk of the House.

The Senate again went into Committee of the Whole with

Mr Maldrum in the Chair

The Committee of the Whole House
The Senate receded to Senate and
the following report was read,
The President
The Committee of the Whole
House have had under consideration
the General Laws
Have made sundry amendments to H. B.
No. 1561 known as the "Revenue Bill"
Recommend that they be agreed to, and
engrossed for 3d reading
N. H. Weldin
Chairman
Mr Brunet appeared and took his seat
Mr Lelland moved
To receive report and
To postpone consideration of the same un-
til 2 P. M.
Carried
Mr Dr Francis appeared and took his seat
Mr Butler moved
To return S. B. No 8 relating to Injunctions
to the House as per request
Carried

Unanimous Consent being given.
Joint Committee on Enrollment by
Mr Hall, reported H. B. No. 204. Correctly

Enrolled and Signed by the Speaker of the House.

The title was read and

The President announced the signing of H. B. No 202. "A Bill for an act to pro-"vide for the Locating of the Public Lands"

Mr Warrell moved

To adjourn

Carried

So at 12 O'clock and 15 minutes the Senate adjourned

Afternoon Session

Senate met at 2 P. M.

Mr Ellsworth moved
To reconsider the vote whereby H. B.
No. 36 "a bill for an act to establish a
"Department of Insurance" was lost.

Mr Saunders moved
To postpone action until to-morrow.

The President appointed as members
of Committee of Conference (on the part
of the Senate) on S. B. No. 28 "a Bill for
"an act regulating elections" etc.
Messrs Haynes, Bennett, and De Forest.

Mr Butters moved
To take up amendments proposed by the
Committee of the whole to H. B. No. 44
Carried.

Mr Butters moved.
To agree to such proposed amendments
Ayes and Noes called with following
result

Ayes.- Messrs. Butters, Deacon, Lelland
Ellsworth, Gardner, Granger,
Hall, Haynes, Hill, Manwell
Meldrum and Roberts ——— 12-

Ayes—Messrs Bennett, Dr Franca, Hanson, and Moyneahan — 4.

Absent and Not Voting —

Messrs Banks, Baker, Hamill, Hamilton, Johnson, Meyer, Randall, Rockwell, Saunders and Taylor — 10.

So the Senate agreed to such amendments —

The Bennett amendment —

To amend H. B. No. 44 by striking out Section 16 of the printed bill. —

Ayes and Noes called with following result.

Ayes—Messrs Baker, Bennett, Dr Franca Gassman, Hagen, and Hanna — 6.

Noes—Messrs Butler, Deacon, Goldsmith, Ellsworth, Gaudry, Hall, Hill, Mannell, Meldrum, Moyneahan, Saunders and Webster — 12.

Absent and Not Voting —

Messrs Banks, Hamill, Hamilton Johnson, Meyer, Randall, Rock-

well and Taylor 8

So the Senate refused to strike out such Section

Mr Dr France moved

To amend Section 16 of H. B. No. 444 (Printed Copy) by adding the following words viz

"Provided, That the provisions of this "Section shall not be construed to ap- "ply to, or include rules or other evi- "dences of indebtedness in the hands "or possession of an agent for the pur- "pose of collection"

Ayes and Noes called with follow- ing result.

Ayes.-Messrs Banks, Bennett, Litchland Dr France, Ellsworth, Gardner, Gaisman, Hall, Haynes, Hinson, and Mayo 11.

Noes.-Messrs. Butters, Deacon, Hill, Maxwell, Meldrum, Saunders and Webster 7

Absent and Not Voting

Messrs Baker, Howell, Hamil-

Yeas, Johnson, Meyer, Randall, Rockwell and Taylor — 8.

So the motion was lost.

Mr Dr France moved

To reconsider the vote whereby the amendment to Section 16 was adopted

Carried

Mr Dr France offered as a substitute for amendment proposed by Com. to Sec. 16. H. B. No. 444 (Printed copy) to be added thereto the following.

"Provided, That nothing herein contained, shall require an agent to list any "Promissory Note or other evidence of indebtedness in his possession or under his control for the mere purpose of "collection"

Mr Maxwell moved

To amend such substitute by adding the following

"And provided further, That Notes and "evidences of indebtedness held by agents "for money loaned by Non-residents shall "not be taxed"

Ayes and Noes called with following result.

Ayes—Messrs Barela, Bleacon, DeFrance, Ellsworth, Gardner, Gaussoin, Hayner, Hutson, and Saunders — 9.

Noes—Messrs. Brunst, Butters, Lehelland Hall, Maxwell, Weldon, Moyna-lean, and Nobles — 8.

Absent and Not Voting

Messrs Bates, Hamill, Hamilton, Hill, Johnson, Meyer, Randall, Rockwell and Taylor — 9.

So the amendment to substitute was adopted.

The question recurring on the adoption of the substitute as amended. Ayes and Noes were called with following result.

Ayes—Messrs Barela, Lehelland, DeFrance Ellsworth, Gardner, Gaussoin, Hutson, and Saunders — 8.

Noes,—Messrs Brunst, Butters, Bleacon, Hall, Haynes, Maxwell, Weldon,

Mcgruder and Nobles ——— 9.

Absent and Not Voting ———

Messrs Bales, Hamill, Hamilton Hill, Johnson, Meyer, Randall, Rockwell, and Taylor ——— 9

So the Substitute as amended was lost.

Mr Bennett moved ———
To strike out of such Section 16 the words "Nobles and Cavalis" ———
Ayes and Noes called with following result. ———

Ayes - Messrs Barela, Bennett, Lehlland, Dr Franco, Ellsworth, Gansson, Hanson and Saunders ——— 8

Noes. - Messrs Butters, Chacon, Gaudreau, Hall, Haynes, Hill, Mansell, Weldon, Mcgruder, and Nobles ——— 10.

Absent and Not Voting ———

Messrs Bales, Hamill, Hamilton Johnson, Meyer, Randall, Rockwell and Taylor ——— 8

So the motion to strike out was lost. ———

Mr Butters moved,

To strike out such Section 16, and insert Sections 1, 2, 3, and 4, of an act of 1876, approved Feby. 11th 1876, Pages 118 and 119 of Session Laws of 1876.

Ayes and Noes called with following result.

Ayes.- Messrs Banks, Branch, Butters, Deacon, Lelland, Dr Francis, Gardner, Haynes, Hewes, Hill, Manwell, Moynahan and Nobles — 13.

Noes.- Messrs Ellsworth, Hall, and Saunders — 3.

Absent and Not Voting

Messrs Baker, Hamill, Hamilton Johnson, Meldrum, Meyer, Randall, Rockwell, Swenson and Taylor — 10

So the motion was Carried

Mr Ellsworth moved,

To strike out such Section 16, as amended.

Ayes and Noes called with following result.

Ayes.- Messrs Clelland, Dr France, Ellsworth, Gaussiu, Hinson and Saunders ——— 6.-

Noes.- Messrs Banks, Brunt, Butler, Deacon, Gardner, Hall, Haynes, Hill, Mansell, Moynahan, and Nobbs ——— 11-

About and Not Voting ———

Messrs Bates, Hamill, Hamilton, Johnson, Melchior, Meyer, Rowdall, Rockwell, and Taylor ——— 9-

So the motion was lost ———

Mr Moynahan moved. ———
To re-insert Section 15 (Printed Copy) —

Mr Dr France moved. ———
To amend such Section 15, by inserting after the word "credit" the words "and the amount and value of all other proper-
"ty" ———

Ayes and Noes called with following result. ———

Ayes. Messrs Banks, Brunt, Butler, Deacon, Clelland, Dr France,

Gaussoin, Hanson, Maxwell, Meldrum, and Saunders — 11

Noes, Messrs Ellsworth, Gaudineer, Hall, Haynes, Hill, Moyneahan and Webster — 7

Absent and Not Voting

Messrs. Baker, Hamill, Hamilton, Johnson, Mayer, Randall, Rockwell, and Taylor — 8

So the amendment was adopted.

The question recurring on the motion to re-instate such Section 15 as amended. Ayes and Noes called with following result.

Ayes.-Messrs. Barker, Breach, Butler, Gardner, Hanson, Hill, Moyneahan, Saunders and Webster — 9.

Noes.-Messrs Bloom, Lehlland, DeFrance, Ellsworth, Gaussoin, Hall, Haynes, Maxwell, and Meldrum. — 9.

Absent and Not Voting

Messrs Bates, Hamill, Hamilton

Solomon, Mercer, Randall, Rus-
well, and Taylor — 8.

Mr. Bruce a bill —

The President voted in the affirmative
and declared the motion carried. —

Mr. Butler moved —
To order amendments engrossed for 3rd
reading —
Carried —

Mr. Butler moved —
To adjourn until 9 A.M. to-morrow. —
Carried —

So at 5 P.M. the Senate adjourned. —

Journal of the Senate

February 24th 1877

Afternoon.

General Assembly of Colorado

Senate
First Session
Saturday February 24th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll call
Absent Messrs Hamilton, Johnson, Randall,
and Taylor (excused) De France Haynes
Maxwell Rockwell and Webster
Quorum present.

Prayer by the Chaplain

Journal of yesterday read and approved

Mr Haynes appeared and took his seat

Reports of Standing Committees.

Committee on Finance Ways and Means
by its Chairman Mr Butters reported
S. B. No 64 entitled "A Bill for an Act to
"establish a Cashier of the State."

back to the Senate with a substitute and recommend it be placed on file for 1st reading also

S.F.B. No 21 "authorizing the County Commis-
"sioners of San Juan County to levy a special
"tax to build a Courthouse"

S.F.B. No 33 "prescribing the duties of the State
"Auditor" (as)

S.B. No 97 "concerning the receiving of money
"from the United States"
with the recommendation that they lie upon
the Table.

Mr Button moved
To adopt report
Carried

Committee on Judiciary by its Chairman
Mr Bennet reported
S.B. No 143 "to repeal Chapt. 35 Sect 7 of the
"Revised Statutes"
S.B. No 134 "concerning costs in certain cases"
S.B. No 174 "concerning marriages"
H.B 232 "to amend an Act concerning costs
"in criminal cases"
S.C.R. No 5 "appointing a committee to
"prepare blank forms"
S.B. No 82 "relating to Homesteads in Colorado

S.B.No 94 "incurring Fugitives from justice"
S.B.No 132 "to declare the Laws and Re-gu-
"late the practice in the Courts, scire facias."
S.B.No 138 " in relation to Pleadings in Courts
"of Record"
back to the Senate with the recommendation
that the Bills be laid on the Table.

also reported back
S.B No 5 "entitled" An Bill for an Act to
"define the meanng of certain words and
"phrases in the Laws of this State."
with the recommendation that it be
indefinitely postponed
H.B No 20 "entitled" An Bill for an Act
"to legalize certain proceedings of the
"County Commissioners of San Juan
"County"
with the recommendation that it lie upon
the Table and the provisions be incorporated
in the revenue Bill
H.B No 71 entitled" A Bill for an Act
"making an Appropriation for Insane
"Paupers"
with an amendment and recommending
its passage. The Committee also recom-
mended the repeal of Sections 30. 31. 32
(and) 33 of Chapter 56 of the Revised Statutes
relating to the Subject of Lunatic Paupers.

H. B. 95 entitled "A Bill for an Act
"to repeal an Act entitled 'An Act to amend
"Chapter 55 of the Revised Statutes of Colorado"
with the recommendation that it do pass.
S. B. 65 "entitled "A Bill for an Act
"concerning County buildings"
Recommending it be printed and placed
on file for 3d reading (as am)
H. B. 65 entitled "A Bill for an Act
"to authorize County Clerks to administer
"Oaths"
Recommending that it do pass.

Committee Printing
by Mr Hall reported
S. B. 78 "concerning a School of Mines"
S. B. 81 "to authorize the Governor of
"the State to make on the General Govern-
"ment a Requirement for arms and to
"give bond for the same" (as am)
S. B. 129 "for an Act concerning the
"State Board of health"
Each in the Senate correctly printed except
that the word "the" in 3d line of Sec. 16
of Bill 78 should have been omitted.

Mr Saunders moved
To adopt the several reports of Judiciary

Committee except Abstract concerning
A. B. No 91
Carried.

Mr Victor appeared and took his seat

A. B. No 64
Read 1st time

Mr Holland moved
To refer A. B. No 64 to Committee on
Printing with orders to report.
Carried.

A. B. No 78
Read 1st time

A. B. No 95
Read 3rd time

Mr Hall moved
To postpone further action in
A. B. No 95 until Monday next
Carried

Mr Heron moved
To adjourn
Lost

Mr Moynahan moved

To strike out of report of the Judiciary Committee on H. B. No 71 that part recommending the repeal of Sections 30. 31. 32 & 33 of Chapter 56 of the Revised Statutes relating to Insane Paupers Ayes and Noes called with following result.

Ayes Messrs Banda, Chaun, Clelland, De France, Hall Anson, Hill, Meldrum, Meyer, Moynahan, Saunders 10

Noes Messrs Button, Gardner, Jameson, Manill, Haynes, Saunders & Taylor 7

Absent and not voting
Messrs Bates, Bennet Ellsworth, Hamilton, Johnson, Maxwell, Randall, Rockwell & Taylor 9

So the motion was Carried.

Mr De France appeared and took his seat.

Message from the House.

State of Colorado
Chamber of the House of Representatives
Denver Feby 24th 1899.

To the Honorable
The Senate of the State of Colorado
I am instructed to inform
Your Honorable Body that the House
has adopted
H. C. R's Nos 19 & 20 and appointed
Messrs Phelps, Simm and Kittredge
on the Committee called for in
H. C. R No 19.
Both Resolutions are herewith transmitted.
Respectfully Y. B Felton
Chief Clerk of the House

Mr Butters moved
To amend H. B No 91 by striking out
"Five" and inserting "Six"

Mr Hamill moved
To re-refer H. B No 91 to Committee on
Judiciary
Ayes and Noes called with following result

Ayes Messrs Butters, Gardner, Ganoem
Hamill, Haynes, Hinon
Hill, Meldrum, Saunders 9

Webster 10

Ayes Messrs Barker, Chacon, Clelland
& Frances, Ellsworth, Hall
Meyer and Moynahan 8

Absent and not voting
Messrs Bates, Bennet, Hamilton,
Johnson, Maxwell, Randall
Rockwell and Taylor 8

A Resolution was
Carried.

H. B. No 36 entitled "A Bill for an Act
"to establish and provide means for the
"support of a department to regulate
"Insurance Companies doing business
"in the State of Colorado."
Taken up

The Question being on the motion of Mr
Ellsworth to recommend the Bill be passed
H. B No 36 did not pass
Ayes and Noes were called with following
Result

Ayes Messrs Bennet, Chacon, Gardner

Vernon, Meldrum, Meyer, Moynahan,
and Saunders 8

Nos Messrs Barker, Butters, Clelland, De
France, Ellsworth, Jansen, Hall,
Hannill, Haynes, Hill & Foster 11

Absent & not voting
Messrs Bates, Hamilton, Johnson,
Maxwell, Randall, Rockwell
and Taylor 7

So the Senate refused to reconsider.

Committee on Counties & County lines
by its Chairman Mr Hall presented
the following report

To the President
of the Senate Sir
Your Committee on Counties and
County lines to whom was referred
S. B. No 61 and the amendments to the
same made by the House would recommend
that the Senate do concur in all of said
Amendments except the following:
Amendments to Section 9
1st " " " " 25

First amendment to Section 53
Last " " " 62
All " 5 " " " 111, 112 & 116
which amendments we would recommend
that the Senate do recede & concur in
Adv that they amend the substitute for
Section 115 & so that it will read as follows:
" Every County Treasurer shall each year
" on & before the 10th day of each month
" unless otherwise directed by the Auditor of
" State pay into the State Treasury all
" money due the State remaining in his
" hands on the first day of each month
" in the same kind of funds in which the
" same shall have been received "

Mr Ellsworth moved
To adopt report of Committee on
S. B No 61 entitled " A Bill for an Act
" concerning Counties, County officers &
" County Government and Repealing all
" laws on these subjects."
Carried.

Mr Webster moved
That the Senate concur in the following
Amendments proposed by the House to
S. B No 61. viz:

Amendment to Title

" " Sections 8. 12. 19. 20. 22

All but first amendment to Sec. 25

Amendments to Sections 32. 40. 46. 48. 49. 51.

56. 57. 59. 65. 71. 73. 74. 81. 82. 85. 100. 103

104. 106. 108. 110. 117. 123. 126. 127. 129.

130. 134 (a) 142.

Ayes and Noes called with following result

Ayes Messrs Barila, Bennet, Butler,
Chase, Clelland, De France, Ellsworth, Gamson, Hall, Hamill,
Hayne, Heron, Hill, Meldrum,
Hufman and Saunders (a) Webster 19.

Noes

Absent and not voting
Messrs Bates, Gardner, Hamilton,
Johnson, Maxwell, Meyer,
Randall Rockwell & Taylor 9

So the Senate concurred in said amendments.

Mr Webster moved
That the Senate concur in the following
Amendments proposed by the House

A Bill for an
Amendment to Section 9. 53. 62. 111. 112. 116
And 1st amendment to Section 25.
Upon which called with following result.

Ayes Noes

Messrs Bardar, Bennet, Butters,
Chacon, Clelland, De France,
Ellsworth, Fairweir, Hall, Hamill,
Haynes, Hewson, Hill, Heldrum,
Heymann, Saunders & Webster 19

Absent and not voting
Messrs Bates, Gardner, Hamilton,
Johnson, Maxwell, Meyer,
Randall, Rockwell & Taylor 9

So the Senate refused to concur in
said amendments.

Mr Webster moved
That the Senate concur in Senate substitute
for Section 115 as amended by the Senate.
Ayes and Noes called with following result

Ayes Messrs Bardar, Bennet, Butters,
Chacon, Clelland, De France, Ells-

Arnold, Gannon, Hall, Hannill,
Haynie, Henry, Hill, Holdman-
Hufsmahan, Saunders and Wilson 19

Noes. None

About an hour
Messrs Bates, Gardner, Hamilton,
Johnson, Maxwell, Meyer, Randall
Rickard and Taylor 9

So the Senate concurred in said substitute

~~Mr Haynie moved~~

Mr Haynie moved
That the Senate now adjourn until
Monday at 9 a. m.
Carried

So at 12 o'clock and 10 minutes the
Senate adjourned.

Journal of the Senate

February 26th 18[illegible]

Afternoon

General Assembly of Colorado

Senate
First Session
Monday February 26th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call

Absent.-Messrs Johnson, (excused.) Barela, Bates, De France, Gaussoin Haynes, Weibbner, Rockwell and Webster

Prayer by the Chaplain.

Journal of Saturday, Feby. 24th read and approved

Messrs Gaussoin and Haynes appeared and took their seats

— Reports from Standing Committees —

Committee on Judiciary by its Chairman, Mr Breech reported H. B. No. 71 entitled "A Bill for an act "making an appropriation for Insane Pau- "pers" back to the Senate with an amendment

and

S. B. No. 7 entitled "A Bill for an act to "provide for the exemption of ditches and "other hydraulic works for irrigation, from "all legal processes except as an inte- "gral and inseparable part of the land" back to the Senate with the recommenda- tion that the bill do pass and amend. —

Messrs Meldrum, Bates, DeFranco and Nobles appeared and took their seats. —

Committee on Fees and Salaries, by its Chairman, Mr Hayes reported — S. B. No. 86 entitled "A Bill for an act "to fix and regulate the Fees of County "Precinct and other Officers" back to the Senate with Sundry amendments —

Mr Hayes moved — To refer S. B. No. 86, and Report of Committee thereon to the Committee of the Whole — Carried. —

Committees on Judiciary by Mr Hay-
ner reported

S. B. No. 158 "A Bill relating to Instruments
"in writing for the Payment of Money"

S. B. No. 95 "A Bill for an act relating to
"Chancery"

S. B. No. 112 "A Bill for an act in relation
"to District Attorneys"

S. B. No. 92 "A Bill for an act relating to
"estates of deceased Persons"

S. B. No. 76 "A Bill for an act concerning
"Imprisonment for debt"

S. B. No. 173 "A Bill for an act concerning
"Mandamus"

S. B. No. 93 "A Bill for an act concerning
"Habeas Corpus"

S. B. No. 103 "A Bill for an act concerning
"Ejectments"

S. B. No. 109 "A Bill for an act concerning
"Common Law"

S. B. No. 98. "A Bill for an act relating
"to Conveyances"

S. B. No. 91, "A Bill for an act concerning
"Statutes" and

S. B. No. 96 "A Bill for an act relating
"to settlement of Deceased Persons Estates"
have to the Senate with recommenda-
tion to lay them on the Table.

Mr Hayes moved.
To adopt Com report
Carried

Committee on Immigration by its Chair-
man, Mr Saunders, reported,
S. B. No 52 entitled "A Bill for an act
"to establish a Board of Immigration"
back to the Senate with sundry amend-
ments and the recommendation that Bill
and amendments be refused to Committee
of the Whole.

Mr Saunders moved.
To adopt report
Carried

Reading of Bills

S. B. No. 78 entitled "A Bill for an
"act Concerning a School of Mines"
Read 2nd time

Mr Hamill moved.
To re-commit to Committee on Mines and
Mining
Carried

Unfinished Business.

Mr Hanscom moved
To refer S. B. No. 7. to Committee on Printing, with order to print

Mr Brunck moved.
To refer Amendments proposed by the Committee on Judiciary to H. B. No. 71, to Committee on Printing, with order to print

H. B. No. 95 entitled "A Bill for an "Act to repeal an act to amend an act "to amend Chapter 55 of the Revised "Statutes of Colorado, entitled Limita- "tions, Approved, Feby. 4th 1876"
Read 3d time - and
Passed by following vote.
Ayes.- Messrs Brunck, Butters, Chaves, Gardner, Hamill, Haynes, Hunn, Hill, Maxwell, Meyer, Moyna- han, Saunders, Taylor and Web- ster 14 -

Noes.- Messrs Bates, Clelland, Ellenwood,

Messrs, and Webber ——— 5—

Absent and Not Voting ———

Messrs Dr France, Hamilton, Solu-
son, Randall, Rockwell, Barela and
Hall ——— 7—

Till agreed to. ———

Mr Haynes moved ———
To adopt H. C. R. No. 19, relative to ap-
pointment of a Special Joint Committee
on Compilation ———
Carried ———

The President appointed, as members
of such Committee on the part of the
Senate, ———
Messrs Haynes, Webber and Lelelland. ———

Mr Haynes moved. ———
To reconsider the vote whereby the Senate
Commendments to
ordered H. B. No. 41 "Concerning Revenue"
to be engrossed for 3d reading ———
Ayes and Noes called with following
result. ———

Ayes - Messrs Baker, Bennett, Butters,
Deacon, Lelelland, Ellsworth, Gardner

Yeas—Messrs. Hamill, Hayes, Hen-
son, Hill, Weldon, Weyer, Wey-
mouth, Saunders, Taylor and
Webster — 8

Noes. — None.

Absent and Not Voting.

Messrs. Barela, De France, Hall,
Hamilton, Johnson, Mansell,
Randall and Rockwell — 8

So the Senate reconsidered such vote.

Mr Butler moved to
To reconsider the vote whereby the Sen-
ate inserted Section 15 in H. B. No. 44.
Printed Copy
Carried.

Message from the House.

State of Colorado.

Chamber of the House of Representatives,
Denver, Feby. 26th 1877.

To the Honorable
The Senate of the State of Colorado
I am instructed to inform your

Honorable Body, that the House request the return of H. B. No. 20, relative to adjournment

Respectfully

N. B. Fellows

Chief Clerk of the House.

Mr Webster moved, that the Secretary be instructed to return S. C. R. No 20 to the House as requested by a vote.

Mr Butler moved, To strike out of Section 15, of H. B. No. 44, (Printed Copy) the words "And the amount "and value of all other property" Ayes and Noes called with following result,

Ayes.—Messrs. Butler, Chacon, Ellsworth, Gardner, Hall, Harriel, Haynes, Henson, Hill, Meyer, Moynahan, Randall and Webster — 13.

Noes.—Messrs Bates, Bench, Clelland, De France, Gannon, Maxwell, Meldrum, Saunders and Taylor — 9.

Absent and Not Voting

Messrs Banks, Hamilton, Johnson and Rockwell — 4 —

So the motion to strike out was Carried

Mr Weldon moved to strike out Section 15 of Printed Copy of H. B. No. 119. Ayes and Noes called with following result.

Ayes - Messrs. Bates, Bennett, Bracey, De France, Gaussoin, Hall, Hamill, Hayes, Hewson, Marshall, Weldon, Weyer, Saunders and Taylor — 14 —

Noes - Messrs Butler, Lehlbach, Ellsworth, Gardner, Hamilton, Hill, Mooney, Randall and Webster — 9 —

Absent and Not Voting

Messrs Banks, Johnson and Rockwell — 3 —

So the motion to strike out was lost.

Mr Ellsworth moved,

That H. B. No. 44 be referred back to Committee on Finance, Ways and Means with instructions to strike out all after the Enacting clause, and to draft sections relative to providing for the State Tax, and the Board of Equalization and such other sections, as in the judgment of the Committee is necessary for the action of this General Assembly carried

Mr Hamill moved, that the Senate now resolve itself into the Committee of the whole on General File carried.

So the Senate went into Committee of the whole-with Mr Hamill in the Chair.

The Committee of the Whole rose, and The Senate resumed its session for the purpose of receiving the following.

Message from the House.

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 26th 1877.

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body, that the House has concurred in the Senate's amendments to H. B. No. 87 known as the "code"- also,

That the House has recded from its amendment to Section 9 of S. B. No. 61 relating to County Offices &c,

That the House insists on its amendments to Sections 53. 62. 111, 112, 116 and its first amendment to Sec. 25, and refuses to concur in the Senate Substitute for the House substitute for Sec. 125 and insists upon its substitute

The Concurrence of the Senate is requested S. B. No. 61 is herewith returned

Respectfully

N. B. Fellows

Chief Clerk of the House.

The Senate again went into Committee of the Whole- with Mr Hamill in the Chair.

The Committee of the Whole rose. ——
The Senate resumed its session ——
The following report was read. ——
Mr President ——
—— The Committee of the Whole
House have had under Consideration the
General Bill ——
Have made some progress with S.B. No.
153. entitled "A Bill for an act to provide
"for the maintenance, Government and Police
"of the Penitentiary" etc. and ask leave to
sit again ——

Wm A. Hamill ——
Chairman ——

Mr Butters moved ——
To receive the report ——
To grant the request ——
Carried ——

Unanimous consent being given ——
Mr Hayes presented the following re-
port. ——

To the President of the Senate ——
—— Your Committee of Conference
to which was referred certain proposed
amendments to S.B. No. 28 relative to
Elections have had the same under-

Consideration and have agreed to insert Section 66. which was put in the bill as an amendment of the House of Representatives, amended so as to read as follows, viz. ——————————

"Every Elector of this State for the Election "of President and Vice President of the United "States, hereafter elected, who shall "attend and give his vote for those offi- "cers, at the time and place appointed by "law, shall be entitled to receive the sum "of Five dollars per day, for each days "attendance at such Election, and fifteen "cents per mile for each mile he shall "travel in going to and returning from "the place where the Electors shall meet "by the most usual travelled route, to be "paid out of the General banking fund "fund, & the Auditor of State shall au- "dit the account and draw his warrant "for the same.- There shall be an Election "held in this State, for the Election of "such Electors at the time appointed "by any law of the Congress or the Con- "stitution of the United States for such "Election, and when such Election shall "be special, the same shall be called, "held, and the votes polled, canvassed &

"all respects as at a General Election,
"and the duties of the Electors so elected
"shall be the same, as prescribed by law
"for Electors elected at a General Election"

Your Committee has also agreed to the amendments to Section 104 as proposed by the House of Representatives.

All of which is respectfully submitted —

S. B. A. Haynes — Richard Irwin
H. P. Brunelle — P. E. Morehouse
A. H. De France — A. C. Rhulfs
Committee on the part of the Senate. — Committee on the part of the House. —

Mr Haynes moved, —
To agree to the Report —
Ayes and Noes called with following result. —

Ayes. — Messrs. Baker, Brunet, Butler, Delacour, De France, Ellsworth, Gardner, Gamerow, Hall, Hamilton, Haynes, Hewson, Hill, Maxwell, Merchant, Meyer, Mogridge, Randall, Saunders, Taylor and Nobles — 22

Noes. — Mr Clelland — 1

Absent and Not Voting

Messrs Barela, Johnson and Rockwell

Mr Butler moved

To grant Mr Barela leave of absence until the 5th day of March next

Carried

Unanimous Consent being given,

Committee on Enrollment by Mr Hill reported

S. B. No. 32 entitled "A Bill for an Act "to establish a State Board of Agriculture "and to define its duties" back to the Senate Correctly enrolled

Mr Worrell moved

To adjourn

Carried

So at 12 M. the Senate adjourned.

Afternoon Session

Senate met at 2 P.M.

President pro-tem presiding

Message from the House

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 26th A.D. 1877.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body that the House has adopted the Report of the Conference Committee relative to S. B. No. 28 regulating Elections. — S. B. No. 28 is herewith transmitted

Respectfully

W. B. Felker

Chief Clerk of the House

Mr Hamill moved that the Senate now resolve itself into the Committee of the Whole on General Files

Carried.

So the Senate went into Committee

of the Whole with
Mr Howell in the Chair

The Committee of the Whole rose.
The Senate resumed its session, and
The following report was read
Mr President

——— The Committee of the Whole House have had under consideration S. B. No. 153.— Have made progress thereto and recommend that it be re-referred to Committee on Penitentiary for revision. Have also considered H. B. No. 67 "authorizing County Clerks to administer oaths" and recommend that it do pass.

Have also considered S. B. No. 129 "Concerning the State Board of Health" and recommend that it do pass.

Have amended S. B. No 81 "Authorizing the Governor to make or the General Government, a requisition for Arms" and recommend that it will do pass as amended.— Have also considered S. B. No. 52 "establishing a Board of Immigration" and recommend that it be laid on the Table

Have amended H. B. No. 241 "Establishing

"the County of Humboldt" and recommend that it do pass as amended.

W. A. Hamill

Chairman

Mr Butters moved

To agree to report except as to H. B. No. 241

Carried

Mr Bennett moved

To agree to amendment proposed by the Committee of the Whole to H. B. No. 241, in striking out Section 10 and providing for a submission of the question to a vote of the people.

Ayes and Noes called with following result.

Ayes.- Messrs. Bennett, Lelelland, De France, Ellsworth, Gardner, Hamilton, Hayner, Hill, & Maxwell. 9

Noes.- Messrs Butters, Bliss, Cameron, Gunsons, Hall, Hamill, Hinson, Meldrum, Meyer, Morgenthau, Randall, Saunders, and Nobles 12

About and Not Voting

Messrs Banta, Bates, Johnson, Rock-

Weld and Taylor ——— 5.

So the Senate refused to Strike out such Section

Mr Bennett moved

To agree to amendment proposed by the Committee of the Whole to H. B. No. 241 in striking out the word "Humboldt" and inserting the word "Custer" as the name of the new County created by such bill.—

Ayes and Noes called with following result.

Ayes.—Messrs Bennett, Butler, Deacon, Dr Franz, Ellsworth, Gardner, Garrison, Hall, Harrell, Hayes, Hinman, Hill, Maxwell, Meyer, Moyneaux, Randall, Saunders and Webster ——— 18.

Noes.—Messrs Clelland, Hamilton, and Weldman ——— 3.

Absent and Not Voting

Messrs Barta, Bates, Solomon, Rockwell and Taylor ——— 5.

So the amendment was agreed to.

Mr Hamill moved.

To order amendments to H. B. No. 241 engrossed and Bill filed for 3rd reading.

Carried

Mr Hill moved

To adjourn

Carried.

So at 5-45 P. M. the Senate adjourned.

Evening Session

Senate met at 7 45 P. M.

President pro-tem presiding.

Mr Butters moved. ——
That the Senate now resolve itself into
the Committee of the Whole on General
File ——
Carried ——

So the Senate went into Committee of
the Whole with ——
Mr Bennett in the Chair ——

The Committee of the Whole rose. ——
The Senate resumed its session — and ——
The following report was read ——
Mr President ——
—— The Committee of the Whole
House have had under consideration the
General File, ——
Report A. H. B. No. 254 "Concerning Aban-
"donment of Claims on the Public Domain"
back to the Senate without amendment and
Recommend that it be laid on the Table —
Have made sundry amendments to H. B. No.
76 "providing for the Government and Sup-
"port of the State University" — and ——
Recommend that amendments be agreed
to, and that the bill pass as amended. —

Report H. B. No 205 "providing for Paying "expenses of the Presidentiary" back to the Senate without amendment and

Recommend that it be referred to Committee on Finance, Ways and Means

H. P. Bennett

Chairman

Mr Butters moved

To agree to report

Carried

Mr Butters moved

To adjourn

Carried.

So at 9:20 P. M. the Senate adjourned.

Journal of the Senate

February 27th 1877

Afternoon.

General Assembly of Colorado

Senate
First Session
Tuesday, February 27th 1877

Senate met pursuant to adjournment

Lieutenant Governor presiding

Roll Call.

Absent.—Messrs Barela and Bowen (excused) Baker, Gaussoin, Hamilton, Rockwell, Taylor and Webster

Quorum present

Prayer by the Chaplain.

Messrs Gaussoin and Hamilton appeared and took their seats.

Journal of yesterday read and approved.

Mr Webster appeared and took his seat.

Mr Hamill moved ——————————
to grant Mr Rockwell leave of absence
until Saturday next. ——————————
Carried ——————————

——————————

Reports from Standing Committees.

Committee on Agriculture and Manufactures by its Chairman, Mr Gardner, reported. ——————————

H. B. No. 178, entitled "A Bill for an act "to repeal an act entitled 'An act concerning Fences and Enclosures in Conejos "County, and in other counties under cer- "tain circumstances', Approved Feby 12-1874." back to the Senate, with the recommendation that it be laid upon the Table. ——————————

and

H. B. No. 250, entitled "A Bill for an act "to encourage the destruction of Grasshop- "pers and to raise a Special Fund therefor "in the State of Colorado" back to the Senate with the recommendation that it do pass.

——————————

Committee on Indian Affairs by its Chairman, Mr Jameson, reported. ——————————

S. M and J. R. No. 7 "Asking Congress to es- tablish a Military Post at Pikesburgh" back

H. R. No. 2. "Relative to the Construction
"of a Military Wagon Road from Fort Gar-
"land to the Military Post in La Plata
"County, Colorado" Ind

H. R. No. 1. "Requesting the establishment
"of a Military Post in South-western
"Colorado" both to the Senate with the
recommendation that they be indefinitely
postponed.

also.

H. R. No. 6. "Asking for the extinguishment
"of the Indian Title south of Parallel 30°
"30' North in the State of Colorado"

H. R. No. 9. "Asking for the establishment
"of a Military Post in the Uncompahgre
"Valley"

H. R. No. 3. "Asking for the establishment
"of an Indian Agency for the Southwestern
"in La Plata County" Ind

H. R. No. 4. "Asking for the establishment
"of a Military Post in Grand County" both
to the Senate, with the recommendation that
they do pass.

Joint Committee on Enrollment by
its Chairman, Mr Hamilton, reported.—
S. B. No. 32 entitled "A Bill for an act
"to establish a State Board of Agriculture

"and to define its duties" "correctly en-
rolled and signed by the Speaker of the
House. ——————————————————

——————————————————————————

Committee on Engrossment by its Chair-
man, Mr Maxwell reported
S. B. No. 81, entitled "A Bill for an act to
"authorize the Governor of the State to make
"on the General Government such a Requisition
"for Arms, and to give bonds for the same" "
Amendments to H. B. No. 241, entitled "A
"Bill for an act to create and establish
"the County of Hancock" back to the Sen-
ate correctly engrossed ——————

——————————————————————————

Committee on Roads and Bridges by its
Chairman, Mr Hussey, reported ——————
S. B. No. 63, entitled "A Bill for an act
"Concerning Roads and Highways" back to
the Senate with the recommendation that
it be passed ——————————————

——————————————————————————

Committee on Finance, Ways and Means
by its Chairman, Mr Butler, reported. ——
H. B. No 44, entitled "A Bill for an act
"providing for Assessment and Collection
"of Revenue, and repealing certain acts
"relating thereto" back to the Senate with

certain amendments recommending
the passage of the bill as amended. ——

Committee on Judiciary, by Mr Haynes
reported ——

H. B. No. 54. entitled "A Bill for an act
"to repeal all existing Laws concerning
"Chattel Mortgages, and to enact other
"provisions in lieu thereof" back to the Sen-
ate with an amendment and recommending
the passage of the bill as so amended. ——

Mr Haynes moved ——
To refer H. B. No. 54 and Report of Committee
on Judiciary thereon, to Committee of the
Whole ——
Carried. ——

—— Message from the House. ——

State of Colorado. ——
Chamber of the House of Representatives
Denver. Feby 26th 1877. ——
To the Honorable ——
The Senate of the State of Colorado. ——
—— I am instructed to inform
your Honorable Body that the House
has passed H. B. No. 174 Concerning Com-

agee, which is herewith transmitted

Respectfully

N. B. Fellows

Chief Clerk of the House

Committee on Fees and Salaries by its Chairman, Mr Haynes, reported S. B. No 108, entitled "A Bill for an act "to provide for the Payment of the Mem- "bers of the General Assembly for the "year 1879 and forever thereafter" back to the Senate with amendment and recommending that amendment be agreed to and bill read 1st and 2nd time, Printed and filed for 3rd reading.

Mr Haynes moved

To place S. B. No 108 on file for 1st reading. Carried.

Mr Hall moved

That the Senate insist on its disa- greement to amendments proposed by the House to S. B. No. 61, entitled "A Bill for "an act concerning Counties, County of- "ficers and County Government, and repeal- "ing all laws on that subject" — Ask a Committee of Conference on such

disagreement -

Leaves.

Reading of Bills

S. B. No. 108 read 1st time

H. B. No. 171. entitled "A Bill for an act "concerning Damages, and to repeal an "act entitled 'An act concerning Damages' "Approved Feby. 8th 1872"

Read 1st time

S. B. No. 81 read 3rd time and

Passed by following vote

Ayes - Messrs. Beach, Butler, Deacon, Delelland, de France, Ellsworth, Gardner, Gaussin, Hall, Hamill, Hamilton, Hayes, Heuss, Hill, Manwell, Merbeau, Meyer, Meyrueis, Saunders and Webster — 20.

Noes. — None.

Absent and Not Voting

Messrs. Barela, Baker, Solomon, Randall, Rockwell and Taylor — 6.

Title agreed to.

H. B. No. 67 entitled "A Bill for an act "continuing Coroners Schools in the State "of Colorado, to administer oaths" Read 3d time and Passed by following vote

Ayes—Messrs Bennett, Butters, Chacon, Clelland, De France, Ellsworth, Gardner, Hanson, Hall, Hamill, Hamilton, Haynes, Hewin, Hill, Mansell, Meldrum, Meyer, Moyneahan, Randall, Saunders and Webster — 21

Noes, — None

Absent and Not Voting

Messrs Barela, Bates, Johnson, Rockwell and Taylor — 5

Title agreed to.

S. B. No. 129 entitled "A Bill for an act "Concerning the State Board of Health" Read 3d time

Unanimous consent being given.

Mr Bennett moved

To amend Section 1 by striking out in line

3, the words "Five Hundred" and inserting in lieu thereof the words "One Thousand"— Ayes and Noes called with following result, ———

Ayes.—Messrs Bennett, Lelelland, Gaussoin, Hall, Moyneham, Randall and Saunders ——— 7—

Noes.—Messrs. Butters, Colacoo, De France, Ellsworth, Gardner, Hamill, Hamilton, Haynes, Hruska, Hill, Manwell, Meyer and Nobles ——— 13.—

Absent and Not Voting ———

Messrs Barta, Bates, Johnson, Meldrum, Rockwell and Taylor — 6.—

So the motion to amend was lost. ———

The bill was then passed by the following vote. ———

Ayes.—Messrs Bennett, Butters, Colacoo, Lelelland, De France, Ellsworth, Gardner, Gaussoin, Hall, Hamill, Haynes, Hill, Manwell, Moyneham, Randall, Saunders and Nobles ——— 17.—

Noes—Messrs. Hinson and Meyer ——— 2.

Absent and Not Voting

Messrs. Banks, Bates, Hamilton, Johnson, Meldrum, Rockwell and Taylor ——— 7.

Title agreed to.

Message from the House.

State of Colorado.

Chamber of the House of Representatives

Denver, Feby. 27—1877.

To the Honorable

The Senate of the State of Colorado

I am instructed to inform your Honorable Body, that the House has passed S. B. No. 8, by a 2/3 vote, the bill is herewith transmitted

Respectfully

W. B. Felker

Chief Clerk of the House.

H. B. No. 241, entitled "A Bill for an "Act to create and establish the County "of Hinsdale,

Taken up.

Mr. Lelelland presented Petitions of Citizens of Fremont County against the division of such County.

Mr. Hamill presented Petitions of Citizens of Fremont County in favor of the division of such County and the creation of a new County

H. B. No. 241 read 3d time. Ayes and Noes called with following result.

Ayes.-Messrs Brouch, Buttes, Chace, Gardner, Gaussoin, Hall, Hamill, Hanson, Meldrum, Meyer, Moyniham, Saunders and Webster — 13.

Noes.-Messrs. Lelelland, De France, Ellsworth, Hamilton, Haynes, Hill, McConnell, and Randall, — 8.

Absent and Not Voting

Messrs Barta, Bates, Johnson, Rockwell and Taylor — 5.

So the Bill did not pass.

A. H. B. No. 257 entitled "A Bill for
"an act to legalize the proceedings of
"the Probate Courts of certain Counties
"in Divorce Cases"

Read 3d time and

Passed by following vote

Ayes—Messrs Button, Deacon, Delelland,
Dr. Frazer, Ellsworth, Gardner, Gus-
sin, Hamill, Hamilton, Hanson,
Hill, Meyer, Moynahan, Saunders,
and Webster 15.

Noes—Messrs. Brunck, Hall, Haynes, Mel-
drum, and Randall. 5.

Absent and Not Voting

Messrs Barta, Bates, Johnson, Wan-
well, Rockwell, and Taylor 6.

Title agreed to.

Mr Hamill moved.
To reconsider the vote whereby the Sen-
ate refused to pass H. B. No. 241.
Carried.

Mr Hamill moved.
To postpone further action on H. B. No. 241

until day after to-morrow Wednesday—
Passed

Mr Ellsworth moved
To grant Mr Bennet leave of absence
until to-morrow evening.
Passed

S. B. No. 53 entitled "A Bill for an act
"to authorize the District Courts to allow
"Free to Counsel assigned to Prisoners in
Certain Cases"
Read 3d time and
Passed by following vote.

Ayes- Messrs. Branch, Lelland, Dr Francis,
Ellsworth, Gardner, Gannaway, Hall,
Hamill, Hamilton, Haynes, Howard,
Hill, Meldrum, Meyer, Randall,
Saunders and Webster — 17.

Nays.- Messrs. Battles, Blaicher, Maxwell,
and Moynahan, — 4

Absent and Not Voting
Messrs Banks, Bates, Johnson,
Rockwell and Taylor — 5.

Title agreed to.

Mr Haynes moved.
To adopt report of Committee on Judicial Affairs on S. M. and R. No. 7, H. R's. 1, 2, 3, 4, 6, and 9
Carried.

Mr Meldrum moved.
To adopt report of Committee on Agriculture and Manufactures on H. B. No. 178
Carried

Mr Hall moved
To agree to report of Committee on Agriculture and Manufactures on H. B. No 250.
Carried.

Mr Hansen moved.
To adopt report of Committee on Roads and Bridges on S. B. No. 63.
Carried.

Mr Haynes moved.
To adopt report of Committee on Finance, Ways and Means on H. B. No. 44.
Carried.

Mr Haynes moved
To order Amendments proposed to H. B. No. 44,

engrossed and

Bill placed on file for 3rd reading.

Carried.

Hon Hall moved

that an additional member be added

to Committee on Printing

Carried and

Hon President appointed as such add-

itional member,

Hon Hill.

Unanimous Consent being given

Committee on Printing by Hon. Hall,

reported

S. B. No. 64 entitled "A Bill for an act

"to establish a Capitol of the State,

"and to amend, Article 3 of Chapter

"9 of the Revised Statutes of Colorado,

"defining the duties and powers of the

"State Treasurer" and

S. B. No. 65. entitled "A Bill for an act

"Concerning unfinished County Buildings"

back to the Senate correctly printed.

Hon Webster moved,

That the Senate now recede and in-

to the Committee of the Whole on Gen-
eral File _____
Carried. _____

So the Senate went into Committee
of the Whole with _____
Mr Webster in the Chair. _____

The Committee of the Whole rose. _____
The Senate resumed its session and _____
The following report was read. _____
Mr President. _____

_____ The Committee of the Whole
Have had under consideration
the General File _____
Have amended H. F. R. No. 3, and report
it back, recommending that amendments
be agreed to and Resolution passed as
amended _____

N. N. Webster _____
Secretary. _____

_____

Mr Hanson moved. _____
To agree to report _____
Carried. _____

_____

Mr Hamilton moved, ——————————

To grant Mr Hill leave of absence for

to-days session ——————————

carried. ——————————

——————————

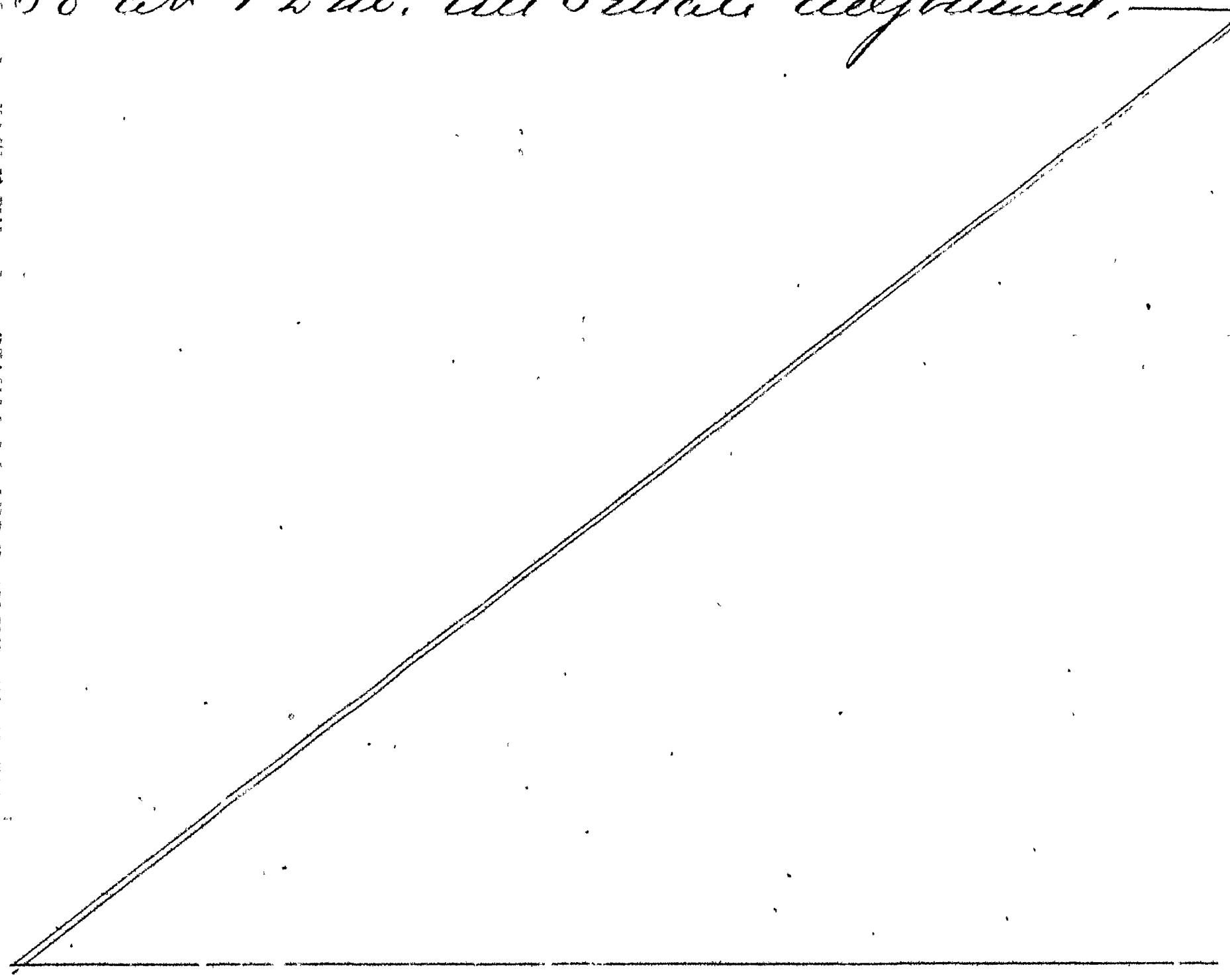
Mr Ellsworth moved, ——————————

To adjourn ——————————

carried. ——————————

——————————

So at 12 M. the Senate adjourned. ——



——————— Afternoon Session ———————

——————————

Senate met at 2 P. M. ——————————

——————————

Unanimous consent being given ——————

Joint Committee on Enrollment, by

ils Secretary read. Mr Hamilton reported S. B. No. 32 presented to His Excellency, the Governor, for his approval, at 12 05 o'clock P. M. February 27 - 1877. And

H. B. No 95 correctly enrolled and signed by the Speaker of the House.

The Title was read. And

The President announced the signing of H. B. No. 95, "A Bill for an act to repeal "an act to amend Chapter 53 of the Re- "vised Statutes of Colorado, entitled 'Stat- "utories' approved, Feby. 2nd 1876"

Mr Webster moved,

That the Senate now resolve itself into the Committee of the Whole on General Fil,

Carried.

So the Senate went into Committee of the Whole with Mr Hansen in the Chair.

The Committee of the Whole rose And

The Senate resumed its session for the

purpose of receiving the following

Message from the House

State of Colorado

Executive of the House of Representatives

Denver Feby. 27-1877

To the Honorable

The Senate of the State of Colorado.

I am instructed to inform your Honorable Body that the House has appointed Messrs Mc Intyre, Irvin and Phelps, on the part of the House on the Conference Committee asked for by the Senate relative to S.B. No. 61 Concerning County Officers &c

Respectfully

W. B. Felker

Chief Clerk of the House

The Senate again went into Committee of the Whole with

Mr Worrell in the Chair

The Committee of the Whole rose

The Senate resumed its session

The following report was read.

Mr President

The Committee of the Whole House have had under consideration the General Bill House amended S.B. No. 115 entitled "A "Bill for an act to abolish the Grand Jury "System, and to provide for the organization "of Courts of Indictment in lieu thereof" and recommend that it be re-referred to Committee on Judiciary

House amended H. B. No. 250 and recommend that amendments be engrossed and bill filed for 3d reading.

House amended H. B. No. 71. entitled "A "Bill for an act making an appropriation "for Incan Campus" and recommend that amendments be agreed to, and engrossed, and bill filed for 3d reading.

House amended S. B. No. 45, entitled "A bill "for an act to reduce the Law incorporating "the City of Dewey" and recommend that amendments be agreed to, and engrossed and bill filed for 3d reading.

House amended H. B. No. 52 and recommend that amendments be agreed to and engrossed and bill filed for 3d reading.

House amended H. B. No. 32, entitled "A

"bill for an act relating to Town Sites of "the Town of Idaho Springs" etc and re-commend that amendments be agreed to and engrossed and bill filed for 3rd reading

Report S. B. No 65, H. & R. No. 6, be laid to the table without amendment, and recommend that they be filed for 3rd reading.

Report H. B. No. 238 providing for sale "of Lots and Parcels of Land in the City of "Central" etc be laid to the Table without amendment and recommend that bill be referred to Committee on Judiciary-Report S. B. No. 7. "exempting ditches and "other Hydraulic Works from Legal "process" etc. and recommend that bill be filed for 3rd reading.

J. P. Maxwell

Chairman

Mr Ellsworth moved

that a Committee of Conference (on the part of the Senate) on S. B. No. 61, be appointed,

Carried - and

The President appointed

Messrs Hall, Butler and Moyer chairman.

Unanimous consent being given ——
Joint Committee on Enrollment by
its Chairman, Mr Hamilton, reported,
H. B. No. 95 presented to His Excellency,
the Governor, for his approval at 05
O'clock P. M. Feby. 27th 1877 ——

Unanimous consent being given. ——
Committee on Printing by Mr. Hall,
reported. ——

S. B. No. 7 entitled "A Bill for an act to
"provide for the exemption of ditches and
"other Hydraulic works for Irrigation, from
"all legal process, except as an integral
"and inseparable part of the land" ——
S. B. No. 45 entitled "A Bill for an act to
"reduce the law in reference to the liab-
"ility of drivers, and the several acts amend-
"atory thereof into one act, and to repeal
"and amend the same." (4th) ——
Senate Substitute for Section 1 of H. B. No. 71
back to the Senate correctly printed, except
That the word "insert" is omitted in line 1
of Section 3, Page 5 of S. B. No. 45. ——

Message from the Governor ——

State of Colorado ——

Executive Department

Denver, Feby. 27 1877.

Hon Lafayette Head,

President of Senate

Sir

I have the honor to inform you that I have signed Senate Bills Nos 44, 118 and 121 and have filed the same with the Secretary of State

Very Respectfully

John L. Routt

Governor

Mr Butler moved

To agree to report of Committee of the Whole

Carried

Mr Butler moved

That remarks of Senator Gossom on S. B. No. 105, made this afternoon be printed

Carried

Mr Hamill moved

To adjourn until 9 A.M. to-morrow

Carried

So at 5 P.M. the Senate adjourned.

Journal of the Senate

February 28th 1874

Afternoon.

General Assembly of Colorado

Senate

First Session

Wednesday, February 28th 1877

Senate met pursuant to adjournment.

Lieutenant Governor presiding

Roll Call

Absent—Messrs Barela, Johnson, Rockwell (excused) Baker, Bennet Butters, De France, Taylor and Webber

Quorum present

Mr Gardner moved,

To grant Mr Butters leave of absence for to-days session.

Carried

Prayer by the Chaplain

Journal of yesterday read and approved.

Mr Webster appeared and took his seat.

Reports from Standing Committees

Committee on Elections by its Chairman, Mr Haynes reported S. B. No 101. entitled "A Bill for an act "concerning the General Assembly" S. B. No. 141 entitled "A Bill for an act "to provide for the Election of a Representative to Congress in case of a Vacancy" and

S. B. No 51, entitled "A Bill for an act to "provide for the appointment of Electors "for President and Vice President of the "United States" back to the Senate, with the recommendation to lay them on the Table.

Mr Haynes moved. To adopt report Carried

Committee on Engrossment by its Chairman, Mr Maxwell, reported. H. B. R. No. 3. "Relative to the Establishment "of an Indian Agency for the Southern "Ute in La Plata County"

H. B. No 32 entitled "A Bill for an "act to repeal Section 2 of an act to "provide for the further execution of "the trust relating to the Town-site of "the Town of Idaho Springs and to reg- "ulate the same and provide for a "substitute therefor" ——

H. B. No. 54, entitled "A Bill for an "act to repeal all existing laws con- "cerning Chattel mortgages and enact "other provisions in lieu thereof" ——

H. B. No. 76 entitled "A Bill for an "act to repeal Chapter 87 of the Revised "Statutes, and to provide for the Govern- "ment and support of the University "of Colorado" ——

H. B. No. 71 entitled "A Bill for an "act making an appropriation for "Insane Paupers" ——

H. B. No. 250 entitled "A Bill for an "act to encourage the Destruction of Grass- "hoppers, and to raise a Special Fund "therefor in the State of Colorado" and ——

H. B. No. 111 entitled "A Bill for an act "providing for the Assessment and Col- "lection of Revenue, and repealing cer- "tain acts relating thereto" back to the Senate with amendments Correctly en-

Proceed:

Committee on Incorporations by its Chairman, Mr Ellsworth reported S. B. No. 270 entitled "A Bill for an act to repeal an act entitled 'an act providing for the payment for STOCK killed by Railroads' and Railway Companies' approved Feby. 9-1872". back to the Senate with amendment and the recommendation to refer to Committee of the Whole

Mr Ellsworth moved.
to adopt report
Carried.

Committee on Enrollment, by its Chairman, Mr Hill, reported S. B. No. 8 entitled "A Bill for an act relating to Injunctions" etc back to the Senate correctly enrolled.

Committee on Agriculture and Manufactures, by its Chairman, Mr Gardner, reported.
S. B. No. 80, entitled "A Bill for an act "concerning Fences and Enclosures in the

"State of Maryland" read to the Senate
with amendments

Mr. Holland moved
To adopt report
Carried.

Unanimous consent being given
Mr. Hayes moved
To take S. B. No. 11, entitled "A Bill for
"an act to divide the Senatorial Districts
"of the 1st Legislative Assembly into two
"classes" also from the Table
To refer it to Committee on Elections
Carried"

Reading of Bills

S. B. No 108 entitled "A Bill for an act
"to provide for the payment of the mem-
"bers of the General Assembly for the
"year 1879 and forever thereafter"
Read 2nd time.

Mr. Ellsworth moved.
To agree to amendments proposed by the
Committee on Fees and Salaries to S. B. No. 108
Carried

Mr. Haynes moved
To refer S. B. No. 118 as amended to Committee on Printing with orders to report
Carried.

H. B. No. 191, entitled "A Bill for an
"Act concerning Damages, and to repeal
"an act entitled 'an act concerning
"Damages' approved Feby 8th 1872"
Read 2nd time

Mr Hill moved
To refer to Committee on Incorporations
Carried.

H. J. R. No. 9. "Memorial to the Secretary
"of War, asking for the establishing of
"a Military Post in the Uncompahgre
"Valley in the State of Colorado"
Read 2nd time—Con
Referred to Committee of the Whole

S. B. No 7 entitled "A Bill for an act
"to provide for the Exemption of ditches
"and other Hydraulic works for Irrigation
"from all legal forfeiture, except as an
"illegal and inseparable part of the land
Read 3rd time—Con

Passed by following vote.

Ayes.- Messrs Bleacon, Clelland, Ellsworth, Gardner, Gaussoin, Hamill, Hayes, Henson, Hill, Manwell, Meyer, Mogridge, Randall, Saunders and Webster — 15

Noes. None.

Absent and Not Voting

Messrs. Barta, Bates, Bennett, Butters, De France, Hall, Hamilton, Johnson, Meldrum, Rockwell, and Webber — 11.

Title agreed to.

S. B. No. 65 entitled "A Bill for an act "Concerning County Buildings"

Read 3d time and

Passed by following vote

Ayes.- Messrs Bleacon, Clelland, Ellsworth, Gardner, Gaussoin, Hamill, Hayes, Henson, Hill, Manwell, Meyer, Mogridge, Randall and Saunders — 14

Noes. None.

Absent and Not Voting ——————

Messrs Barela, Bates, Bennett, Butler, De France, Hall, Hamilton, Johnson, Meldrum, Rockwell, Taylor and Webber —— 12

Title agreed to

H. B. No. 250, read 3d time

Ayes and Noes called with following result

Ayes—Messrs Aleland, Gardner, Gaunson, Hamill, Haynes, Hill and Moyneham —— 7

Noes.—Messrs Johnson, Eckhardt, Hall, Hanson, Manuell, Meyer, Randall, and Saunders —— 8

Absent and Not Voting

Messrs Barela, Bates, Bennett, Butler, De France, Hamilton, Johnson, Meldrum, Rockwell, Taylor and Webber —— 11

So the bill did not pass.

Mr Randall moved

To refer S. B. No. 80 to Committee on Claims

Mr Ellsworth moved.

That the regular order of business be dispensed with

That the Senate now resolve itself into the Committee of the Whole on General File

So the Senate went into Committee of the Whole with Mr Ellsworth in the Chair.

The Committee of the Whole rose.

The Senate resumed its session

The following report was read.

Mr President

The Committee of the Whole House have had under Consideration the General File

Have made some progress with S. B. No. 86 "A Bill for an act to fix and regulate the fees of County, Precinct and other

"Officers" and all bear to sit together.—
L. b. Ellsworth —
Chairman —

Mr Hewson moved —
To receive report and —
To grant request —
Carried —

Unanimous consent being given. —
Joint Committee on Enrollment by its Chairman, Mr Hamilton, reported.—H. B. No. 257 and S. B. No. 8 correctly enrolled and signed by the Speaker of the House. —

Mr Little was read and —
The President announced the signing of—
A. H. B. No. 257 "A Bill for an act to be-
"gulate the Proceedings of the Probate Courts
"of certain Counties in Divorce Cases" and
S. B. No. 8 "A Bill for an act regulating
"the power of granting and dissolving
"Injunctions" etc. —

Mr Hewson moved —
To adjourn —
Carried —

So at 12 M. the Senate adjourned.

Afternoon Session

Senate met at 2 P. M.

Unanimous consent being given.

Mr Haynes moved.

To take S. B. No. 110 entitled "A Bill
"for an act relating to Surveys" from
the Table

To refer it to Committee on Incor-
porations.

Carried.

Message from the House.

State of Colorado

Chamber of the House of Representatives

Denver, Feby. 28th 1877.

To the Honorable.

The Senate of the State of Colorado
I am instructed to inform your Honorable Body that the House has amended, and passed Senate Bills No. 36 and 37, which are herewith transmitted. The concurrence of the Senate in the House Amendments is requested

Respectfully
N. B. Fellows
Chief Clerk of the House

Messrs Bruce and De France appointed and took their seats

The Rebekah award,
Heat the Senate non-resolve itself into the Committee of the Whole
S B. No. 86.
Carried.

So the Senate went into Committee of the Whole with
Mr Ellenwood in the Chair

The Committee of the Whole rose

The Senate resumed its session for the purpose of receiving the following ——

—— Message from the House ——

State of Colorado ——
Chamber of the House of Representatives ——
Denver Feby. 28th 1877. ——

To the Honorable —— ——

The Senate of the State of Colorado ——

—— I am instructed to inform your Honorable Body that the House has passed H. B.'s No 49 and 56 which are herewith transmitted —— H. C. R. No. 20 is herewith returned ——

Respectfully ——
W. B. Vollert ——
Chief Clerk of the House ——

The Senate again went into Committee of the Whole-with ——
Mr Ellsworth in the Chair. ——

The Committee of the Whole rose ——
The Senate resumed its session ——
The following report was read. ——

Mr President

Mr Committee of the Whole House has had under consideration S. B. No 86. Have made sundry amendments thereto. and Report it back with the recommendation that it be re-referred to Committee on Fees and Salaries with instructions - That the Fees therein named for the 1st Class be the same as now allowed by law for Officers of Arapahoe County - That the fees of the 2nd Class be placed at figures between the fees named in the 1st class and those of the 3d class and - That the Fees for officers named in the 3d class be the same as allowed for like officers by the Revised Statutes.

L. G. Ellsworth

Chairman

Mr Hamill moved

To agree to report

carried

Mr Mcclelland moved

To grant Mr Taylor leave of absence

for to-days session

Leave.

Messrs Conant being sworn.
Joint Committee on Enrollment
by its Chairman, Mr Hamilton,
reported.

H. B. No. 267 and S. B. No. 8 presented to
His Excellency, the Governor, for his
approval, at 12½ O'Clock P. M. February
28th 1877 and

H. B. No. 67 correctly enrolled and sign-
ed by the Speaker of the House.

Mr Tilt was recd and

The President announced the signing of-
H. B. No. 67 "A Bill for an act authori-
"zing County Clerks in the State of Col-
"orado, to administer oaths"

Mr Bennett moved
To grant Mr Bates leave of absence
for to-days session
Carried

Mr Randall moved
That the Senate now resolve itself
into the Committee of the whole on
General File

Carried.

So the Senate went into Committee of the Whole with Mr Randall in the Chair

Mr Committee of the Whole rose. The Senate resumed its session. The following report was read.

Mr President

The Committee of the Whole House have had under consideration the General Fill and Report H. R. No 9 back with amendments and recommend that the same do pass.

Ev. S. Randall
Chairman

Mr Ellsworth moved. To agree to report Carried

Whereupon Count Trinity Guard Committee on Inconsumables by Ms Chairman, Mr Ellsworth, reported at

S. B. No. 110 back to the Senate, with amendment, and recommended that amendment be agreed to and bill pass for 1st reading

Mr Ellsworth moved To agree to report Carried

Mr Ellsworth moved To take up and read all bills on 1st reading Carried

S. B. No. 110 read 1st time

H. B. No. 49 entitled "A Bill for an act "to amend the existing law of evidence "in this State Read 1st time

H. B. No. 56, entitled "A Bill for an act concerning Elections from Sur- "veys to the County and district Courts "and, to regulate the practice thereon "and to repeal all others in rela- "tion thereto" Read 1st time

Un Recd a Message

To adjourn until 9 A.M. to-morrow.

Carried.

So at 4 45 P.M. the Senate adjourned